

Austin, Texas, June 19, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1046, "An Act to amend Section 1 of House Bill No. 808 of the Regular Session of the Forty-second Legislature, Chapter 69, Special Laws, page 157, as amended by House Bill No. 327 of the Regular Session of the Forty-third Legislature, Chapter 34, Special Laws, page 42, providing for the taking of catfish, perch, buffalo, and drum from the waters of Delta, Hopkins, and Franklin Counties, by hand or with a seine or net having meshes one inch square; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

#### SENT TO THE GOVERNOR

June 18, 1941

House Bill No. 887.  
House Bill No. 996.  
House Bill No. 1034.  
House Bill No. 1042.  
House Bill No. 1045.  
House Bill No. 1057.  
House Bill No. 1076.  
House Bill No. 1080.  
House Bill No. 544.  
House Bill No. 543.  
House Bill No. 511.  
House Bill No. 1064.  
House Bill No. 931.  
House Bill No. 918.  
House Bill No. 963.  
House Bill No. 1019.  
House Bill No. 370.  
House Bill No. 862.  
House Bill No. 689.  
House Bill No. 1050.  
House Bill No. 663.  
House Bill No. 1086.  
House Bill No. 501.  
House Bill No. 425.  
House Bill No. 502.  
House Bill No. 1053.

House Bill No. 1069.  
House Bill No. 1054.  
House Bill No. 417.  
House Bill No. 891.  
House Bill No. 788.  
House Bill No. 995.  
H. C. R. No. 133.  
H. C. R. No. 224.  
H. C. R. No. 130.  
H. C. R. No. 117.  
H. C. R. No. 249.  
H. C. R. No. 96.  
H. C. R. No. 222.

#### NINETY-FOURTH DAY

(Friday, June 20, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Ellis
Alsup	Evans
Avant	Favors
Bailey	Ferguson
Baker	Files
Bell	Fitzgerald
Benton	Fuchs
Blankenship	Gandy
Bridgers	Garland
Brown	Gilmer
Bullock	Goodman
Bundy	Hanna
Burkett	Hardeman
Burnaman	Hargis
Carlton	Harris of Dallas
Carrington	Harris of Hill
Cato	Hartzog
Celaya	Helpinstill
Chambers	Henderson
Clark	Hileman
Cleveland	Hobbs
Coker	Howard
Colson, Mrs.	Howington
Connelly	Hoyo
Crossley	Huddleston
Crosthwait	Hughes
Daniel	Humphrey
Davis	Hutchinson
Deen	Jones
Dickson of Bexar	Kelly
Donald	Kennedy
Dove	Kinard
Duckett	King
Dwyer	Klingeman

Knight	Rampy
Lansberry	Reed of Bowie
Lehman	Reed of Dallas
Leyendecker	Ridgeway
Little	Rhodes
Lock	Roberts
Love	Sallas
Lowry	Senterfitt
Lucas	Shell
McAlister	Simpson
McDonald	Skiles
McGlasson	Smith of Bastrop
McMurry	Smith of Atascosa
McNamara	Spacek
Manford	Spangler
Markle	Stanford
Martin	Stinson
Matthews	Stubbs
Montgomery	Taylor
Moore	Thornton
Morgan	Turner
Morris	Vale
Morse	Voigt
Murray	Walters
Pace	Wattner
Parker	Weatherford
Pevehouse	White
Phillips	Whitesides
Price	Winfree

## Absent

Huffman	Sharpe
Roark	

## Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kersey
Brawner	Lyle
Bray	McCann
Bruhl	McLellan
Craig	Manning
Dickson of Nolan	Mills
Eubank	Nicholson

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, great is Thy name, and greatly to be praised in all the earth. We are indebted to Thee for life and all its blessings, and for these opportunities to be helpful and to do good as we do much to guide the affairs of our State. The Lord help us, first of all to please Thee, and to be wise and to do right in all our ways. In Jesus' name. Amen."

## LEAVES OF ABSENCE GRANTED

The following Members were

granted leaves of absence on account of important business:

Mr. Lyle, for today, on motion of Mr. Lansberry.

Mr. McCann, for today, on motion of Mr. Senterfitt.

Mr. Dickson of Nolan, for today, on motion of Mr. Pevehouse.

Mr. Allison, for today, on account of important State business, on motion of Mr. Cato.

Mr. Craig, for today, on motion of Mr. Klingeman.

Mr. Manning, for today, on motion of Mr. Alsup.

Mr. Halsey, for today, on motion of Mr. Bullock.

Mr. Eubank, for today, on motion of Mr. Rampy.

Mr. Bruhl, for today, on motion of Mr. White.

Mr. Bean, for today, on motion of Mr. Carrington.

Mr. Brawner, for today, on motion of Mr. Jones.

Mr. Allen, for today, on motion of Mr. Markle.

Mr. Evans, temporarily for today, on motion of Mr. Benton.

The following Member was granted leave of absence on account of illness:

Mr. Boone, for today, on motion of Mr. Love.

## HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Stinson, Mr. Harris of Dallas, Mr. Crosthwait, Mr. Hanna, Mr. Reed of Dallas and Mr. Blankenship:

H. B. No. 1092, A bill to be entitled "An Act authorizing the annexation of streets, highways, and alleys by the governing bodies of certain cities and towns; prescribing the method for such annexation; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

Mr. Harris of Hill moved to intro-

duce at this time and have placed on first reading House Bill No. 1093.

The motion prevailed.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Harris of Hill, Mr. King, Mr. Carrington, Mr. Hardeman, Mr. Gilmer, Mr. Coker, Mr. Cato, Mr. Lowry and Mr. Walters:

H. B. No. 1093, A bill to be entitled "An Act to amend Subsection (a) and Subsection (f) of Section 5a of House Bill No. 654, Acts of the Regular Session, Forty-first Legislature, 1929, Chapter 314, page 698, as amended, said House Bill No. 654 of the Forty-first Legislature, as amended, having been amended by Section 4 of House Bill No. 351 of the Regular Session of the Forty-seventh Legislature, by adding thereto Section 5a, Subsection (a) and Subsection (f) of said added Section 5a being amended hereby so as to change only the filing fee required to accompany every application filed with the Commission for an order approving the lease, sale, or transfer of any certificate of convenience and necessity, from Twenty-five Dollars (\$25.00) to Ten Dollars (\$10.00), and the filing fee required to accompany every application for a certificate of public convenience and necessity from Twenty-five Dollars (\$25.00) to Ten Dollars (\$10.00); and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

#### TEXT OF HOUSE BILL NO. 284

On motion of Mr. Alsup, the following Conference Committee report on House Bill No. 284 was ordered printed in the Journal:

Austin, Texas, June 17, 1941.

Honorable Coke R. Stevenson, President of the Senate;

Honorable Homer L. Leonard, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee appointed to adjust the differences between the Senate and

the House of Representatives on House Bill No. 284, have had the same under consideration and beg to advise that we have reached an agreement and recommend the passage of the attached bill.

Respectfully submitted,

AIKIN,  
VAN ZANDT,  
METCALFE,  
FORMBY,  
LOVELADY,

On the part of the Senate.

ALSUP,  
BULLOCK,  
LUCAS,  
MORRIS,  
LOCK,

On the part of the House.

By Mr. Alsup, Mr. Morris, Mr. Lock and Mr. Bullock:

H. B. No. 284,

#### A BILL

#### To Be Entitled

An Act providing for a more efficient Public School System in Texas; making an appropriation of \$8,444,190.00 for each year of the biennium, ending August 31, 1943, allocating the funds so appropriated; providing for the administration thereof by the State Superintendent of Public Instruction, The Department of Education, Director of Equalization; creating a Joint Legislative Advisory Committee; defining its powers and duties and giving it supervisory powers for the administration of said appropriation and allocations; defining what schools and school districts may receive aid with certain exceptions thereto; providing for a system of transporting scholastics to and from schools under certain conditions and limitations with reasonable exceptions thereto; providing for the method and manner of paying therefor; providing for the payment of High School tuition and designating who and what schools may receive same with certain exceptions and limitations; providing for budgets to determine eligibility on a basis of need with certain limitations, restrictions and ex-

ceptions; providing for duties of County Board of Trustees, County Superintendent, Boards of Trustees and other school officials in regard to the administration of this Act; requiring certain reports from such persons and boards; providing for the making of applications for tuition, transportation and salary aid on the basis of budgetary need therefor with certain exceptions and restrictions; providing for a place and time of filing such applications on the part of all school districts and school employees; providing for penalty for failure to file such applications within a time required by this Act; providing for a system of contract schools as same applies for the school year ending August 31, 1942, and a different system of contract schools for the school years thereafter; providing for a method of contracting such schools; providing for penalties for the violation of this Act; prohibiting the use of the monies herein appropriated for any purposes other than same was appropriated, allocated or distributed; providing for the length of term of certain schools; providing the method and manner of paying teachers on a salary schedule under this Act; giving the Joint Legislative Advisory Committee certain appellate powers and authorizing said Committee to employ certain persons to aid it in carrying out its duties; making certain allocations for the payment thereof; requiring said committee to make certain investigations for recommendations to the Legislature; repealing all laws and parts of laws in conflict with this Act; providing for a severance clause if any part of this Act be declared unconstitutional; providing for the duties of the State Board of Education in the event said Joint Legislative Advisory Committee becomes inoperative for any purpose; providing for an effective date of this Act and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Article 1. Eligibility for Aid.

Section 1. Scholastic Population of the District. State aid under the pro-

visions of this Act shall be distributed in such a way as to assist all school districts which have not fewer than twenty (20) nor more than five hundred (500) original enumerated scholastics within the grades classified to be taught remaining in the district after transfers out, and consolidated and/or rural high school districts which have an average of not more than two hundred (200) scholastics of each original district composing the consolidated and/or rural high school district unit; provided that the maximum limitations as to scholastic population for eligibility herein set forth shall not apply for any type of aid to any school district which is nine (9) miles or more in length or contains forty-eight (48) square miles of territory or more, provided there is not located in such district an incorporated city or town having a population of more than thirty-six hundred (3600) inhabitants, according to the last preceding Federal Census. Districts maintaining a school at home and having less than an average of one (1) enumerated scholastic per square mile are exempt from said minimum scholastic requirement and are eligible for aid for only one teacher unless a geographical barrier necessitates the operation of two schools for the same race in said district, such geographical barrier to be determined by the State Department of Education subject to the approval of the Joint Legislative Advisory Committee. If they can show budgetary need therefor, all other districts having less than said minimum scholastic requirement, shall be eligible for only tuition and transportation aid to the nearest accredited school on enumerated scholastics whose grades are not taught in such district.

Sec. 2. Tax Levy. No school district shall be eligible to receive any type of aid authorized under the provisions of this Act unless it shall be providing for the annual support of its schools by voting, levying and collecting for the current school year a local maintenance school tax of not less than fifty cents (50¢) on the one hundred (\$100.00) dollars of property valuation in the entire district. The property valuations shall

not be less than said property is valued for state and county purposes. The income from such a maintenance tax in excess of the required fifty cents (50¢) maintenance tax must first be used to retire indebtedness, if any, in the local and Equalization (Rural Aid) school funds. After the indebtedness in these funds, if any, has been retired the income from this maintenance tax in excess of the required fifty cents (50¢) maintenance tax may be used at the discretion of the local school authorities of the district for any lawful school purpose. Provided that no local funds may be used to increase teachers' salaries directly or indirectly above the salary schedule provided for in this Act. Any or all maintenance tax above fifty cents (50¢) may not be included in the calculation of need for aid but shall be reported in the budget. If the income from the Maintenance Tax above fifty cents (50¢) is not spent as prescribed herein, it shall be included as receipts in the budget. In order to comply with the terms of this section it shall be necessary for such school districts applying for any type of aid authorized under the terms of this Act, to report all valuations within such districts including all consolidated districts and annexed districts and failure to report all such valuations shall prevent such district from receiving any type of aid authorized under this Act. Provided that the tax provisions and other inhibitions provided in said Act shall not apply to the school where the Alabama Indians attend school in Polk County, Texas.

Sec. 3. Distance Between Schools. No aid shall be granted to any school under the provisions of this Act which is located within two and one-half (2½) miles of another school of the same race, unless on account of the conditions of the roads and other physical features it is unreasonable and impracticable for the pupils to attend another school; provided that this restriction shall not apply to elementary schools in a consolidated and/or rural high school district, nor to any district which at some previous election has voted to remove such conditions by consolidation, nor to any school district that has received State Aid for the preceding five (5) years when need is shown as provided in this

Act, nor to any district whose school building is two and one-half (2½) miles or more from the nearest accredited High School building.

Sec. 4. Average Daily Attendance. No school shall be granted salary aid under the provisions of this Act whose average daily attendance is less than sixty-five per cent (65%) of the scholastic census enrollment for either white or colored school. However, salary aid may be granted to any school whose average daily attendance is sixty-five per cent (65%) or more of the scholastics necessary for the teachers actually employed. The sixty-five per cent (65%) average daily attendance shall be determined by a rule provided therefor by the Department of Education with the approval of the Joint Legislative Advisory Committee. The provisions of this section shall not apply to any school where there is any kind of epidemic of sickness that has resulted in a quarantine and such exemption may be allowed only with the approval of the State Department of Education and when the facts are determined and certified to by the County or State Health officer residing in the area affected. Provided this average daily attendance requirement does not apply to districts having parochial schools located therein.

Article 2. The Application for State Aid.

Section 1. The trustees of the districts authorized to apply for aid under the provisions of this Act shall send to the State Superintendent of Public Instruction on forms provided by said authority, and which have been approved by the Joint Legislative Advisory Committee, a list of the teachers employed in the schools, showing the monthly salary, experience, and training of each, together with an itemized statement of all anticipated receipts and budgeted expenditures, the length of term, and such other information as may be required. The State Superintendent shall, subject to the provisions of this Act, grant to the school an amount of aid as will, with the State and County Available funds, together with all other funds including tuition, maintain the school for such a period and in such a manner as authorized in this Act. The application shall be sworn to by the local super-

intendent and county superintendent, and president and secretary of the board of trustees of each of the districts applying for aid. School districts accepting aid under the provisions of this Act shall share in the distribution of State and County Available School Funds and in all other funds as herein may be provided.

Sec. 2. Filing Date. All applications for any type of aid authorized herein, except tuition aid, shall be on file with the State Department of Education in Austin not later than October 1 of each scholastic year for which aid is asked.

### Article 3. Salary Aid.

Section 1. Teacher-Pupil Quota. State aid under provisions of this Act shall be allotted upon the basis of one teacher for any number of scholastics from twenty (20) to thirty-five (35) and one (1) additional teacher for each additional thirty (30) scholastics, or fractional part thereof, residing in the district. It is expressly provided that in the event scholastics are transferred into the district the excess fractional part thereof shall not be less than two (2) scholastics. The basis for calculation shall be the net scholastic enumeration of white or colored race, as the case may be, including the transfers into the district, and excluding the transfers out of the district, provided such transfers are from districts eligible to receive aid under Article 1 of this Act, for the current year; and there shall be deducted all scholastics who have completed the course of study in their home school, as classified by the County Board of Trustees, and those whose grades are taught within the district from which they are transferred unless such scholastics maintain an average daily attendance of sixty-five per cent (65%) in the district to which they are transferred for the first sixty (60) school days. Where unusual or extraordinary conditions cause an actual increase in enrollment so that the average daily attendance of a school reaches a point in excess of the net scholastics remaining in the district after transfer, an adjustment for the remainder of the school year as to the number of teachers may be made by the State Superintendent subject to the approval of the Joint Legislative Advisory Committee, in which case said

average daily attendance becomes the basis for the teacher-pupil quota.

Sec. 2. Salary Schedule and Length of Term. No part of the aid herein provided shall be used for increasing the monthly salary of any teacher, except as herein authorized, and funds provided for in this Act shall be used for the exclusive purpose of extending the length of the school term of the schools situated in the district receiving such aid on the basis of a schedule of teachers' salaries as determined by the State Board of Education for the school year 1938-39. The annual salary of teachers in accredited schools shall be the monthly salary as determined by such schedule multiplied by nine (9). The annual salary of teachers in unaccredited schools shall be the monthly salary as determined by said schedule multiplied by eight (8). The annual salary of Superintendents of accredited schools with eight (8) or more recognized affiliated credits and entitled to six (6) teachers or more under Section 1 of this Article, Vocational Agriculture teachers, and Trades and Industries teachers shall be the monthly salary as determined by said schedule multiplied by twelve (12). The annual salary of Home Economics teachers shall be the monthly salary as determined by said schedule multiplied by ten (10). All such authorized salaries may be paid in twelve (12) equal payments, which shall not exceed the contract or the salary schedule, beginning with September 1 of each year. Salaries of Superintendents and Vocational teachers may begin on July 1 rather than September 1. All schools of the accredited class receiving aid shall provide a term of approximately nine (9) months, and schools of the unaccredited class receiving aid shall provide a term of approximately eight (8) months. An accredited school is herein defined as a school teaching either the elementary grades, the elementary grades plus two (2) years of high school, or the elementary grades and four (4) years of high school and recognized by the State Department of Education as doing standard work. Should any school district eligible to receive aid under the provisions of this Act maintain a salary schedule in excess of the salary schedule, as determined by the State Board of Education for the

school year 1938-39, the amount of aid received by such school district shall be reduced by the amount of such excess.

#### Article 4. High School Tuition Aid.

Section 1. It is hereby expressly provided that a sufficient amount of funds allocated by this Act shall be used for the payment of high school tuition not to exceed Seven Dollars and Fifty Cents (\$7.50) per pupil per month, and in no instance shall more than five (5) months tuition be paid for any one pupil on the census roll for any one school year. High school tuition shall be paid according to the provisions of House Bill No. 158, General Laws, Regular Session, Forty-fourth Legislature, as amended, and subject to the limitations and restrictions provided in this Act. In the event a receiving high school has its budget balanced with Salary Aid, there shall be deducted from the Salary aid grant of such school any amount of tuition collected from sending districts, and all such collections shall be included in the revenue section of the State Aid application. Such revenues shall include the total tuition received for the preceding school year by such school districts. In no event shall any salary aid school receive tuition aid in any amount which, together with the salary aid granted, exceed the budgetary need as indicated by the approved State Aid applications. Receiving schools refusing to accept said approved rate as the maximum amount to be charged shall not be eligible to receive State High School Tuition Aid Funds. It is further provided that tuition aid as above set out shall be granted for pupils transferred into a district from an orphans' home or from either of the State Training Schools. Provided further that in consolidated districts comprising nine hundred (900) square miles or more of territory the above limitations and restrictions shall not apply, but instead a straight tuition payment of Seven Dollars and Fifty Cents (\$7.50) per month per pupil shall be paid on all high school pupils enumerated in the consolidated district and living within the present boundaries of any territory annexed or otherwise consolidated to the central receiving high

school. Provided further that school districts whose area does not exceed Sixteen (16) square miles and having an accredited high school of sixteen (16) units or more which serve Teacher Training Institutions as practice teaching laboratories shall upon the approval of the Joint Legislative Advisory Committee receive a tuition payment of not to exceed Seven Dollars and Fifty Cents (\$7.50) per month for not to exceed five (5) months on all high school pupils enumerated in said district. And providing further that high school tuition of not to exceed Two Dollars and Fifty Cents (\$2.50) per per month per scholastic shall be granted for pupils in consolidated and rural high school districts composed of not less than three (3) original districts, and whose valuation is less than Fifteen Hundred (\$1,500.00) Dollars per scholastic population and whose budget shows a need therefor, and that maintains an affiliated high school of not less than sixteen (16) units.

Sec. 2. Application for Tuition Aid. It shall be the duty of the county superintendent to receive and check all high school tuition applications to determine the following facts: age of pupil, the district in which he was enumerated, the district in which he lives, the district in which he attends school, the grade in which the pupil is classified in the receiving district, the highest grade taught in the home district of the pupil, and the amount of time the pupil was in actual attendance at the receiving school. When such application has been reviewed and checked as herein provided, same shall be properly sworn to by said county superintendent, the president and/or secretary of the school board of the sending district of the pupil, and the superintendent of the receiving school, before said application is transmitted to the Director of Equalization at Austin, Texas, for his rejection, modification, or approval, and no such application shall be considered by the Director of Equalization unless same has been duly deposited with him at Austin, Texas, within sixty (60) days after his request for same, and in no instance later than June 1 of the current school year.

#### Article 5. Transportation Aid.

Section 1. The County Superintendent and County School Boards of the several counties of this State, subject to the approval of the State Superintendent of Public Instruction, are hereby authorized to annually set up the most economical system of transportation possible for the purpose of transporting both grade and high school pupils from their districts, and within their districts. The County shall be regarded as the unit and the warrant made payable to the County Board Transportation Fund, on the total transportation earned within the county not to exceed the total approved cost thereof, and the County Board of Education shall distribute the funds equitably to the Districts operating such transportation system not to exceed the actual approved cost of any one bus so operated. The expense of such transportation shall be paid on the basis of budgetary need as indicated by approved State aid application, out of the funds herein allocated for transportation aid, not to exceed Two Dollars (\$2.00) per month per pupil for those attending the most convenient accredited high school and not more than One Dollar Fifty Cents (\$1.50) per month per pupil for those transported to elementary schools; provided that if there be no convenient accredited high school, that such pupil may obtain like aid under the provisions of this Article when attending any near high school of higher classification than the sending district when designated by the County Board; provided however, all school districts conforming to County unit system of transportation and receiving no other type of aid, either tuition or salary, and comprising three or more consolidated districts containing fifty (50) square miles or more of territory and employing three (3) or more less teachers than such school district teacher-pupil quota would permit may receive transportation aid only on a transportation budget showing need therefor on the basis of Two Dollars (\$2.00) per month on all High School pupils who reside two and one-half miles ( $2\frac{1}{2}$ ) or more from the school attended and One Dollar and Fifty Cents (\$1.50) per month on all elementary pupils

residing two and one-half ( $2\frac{1}{2}$ ) miles or more from its nearest grade school within such district; and providing further that all school districts containing one hundred (100) square miles of territory or more may receive Two Dollars (\$2.00) per month per pupils as transportation aid when there is a need shown therefor as provided herein and when same is recommended by the Director of Equalization and approved by the Joint Legislative Advisory Committee. Provided that transportation aid of One Dollar (\$1.00) per month per pupil transported more than two and one half ( $2\frac{1}{2}$ ) miles shall be paid to all school districts that contain nine hundred (900) square miles or more of territory and that operate twenty-five (25) or more buses and that levy a school tax of One Dollar and Fifty Cents (\$1.50) on each One Hundred Dollars (\$100.00) of valuation; provided further that such aid shall be paid regardless of all other limitations or restrictions imposed in this Act. May be extended to the school district in which the boys' training school at Gatesville is located on all pupils residing on the properties of said institution other than inmates thereof, notwithstanding tax requirements set up in this Act.

Sec. 2. In no instances may aid be granted for pupils transported who attend a grade in another school which grade is taught in such pupil's home district. No transportation aid shall be granted for a pupil being transported out of his home school district if two or more receiving schools are applying for transportation aid from such pupil's home district unless the bus routes through such district have been approved by the State Department of Education, and such approval confirmed by the Joint Legislative Advisory Committee. Aid shall not be granted under any provisions of this Article unless the pupil so transported actually resides more than two and one-half ( $2\frac{1}{2}$ ) miles from the school attended and is transported in an approved bus over an approved route. Provided that the County Superintendent shall locate a point on each bus route two and one-half ( $2\frac{1}{2}$ ) miles from the re-



ceiving school and after such point is established he shall personally determine whether the school is requesting transportation aid on any pupil residing within the two and one-half ( $2\frac{1}{2}$ ) mile limit. It shall be the duty of the Deputy State Superintendent to determine whether any district is requesting transportation aid on pupils living within the said two and one-half ( $2\frac{1}{2}$ ) mile limit, and any district requesting aid on such pupil shall become ineligible for Transportation aid on each bus transporting such pupils.

Sec. 3. A school requesting transportation aid on a student who is not an approved scholastic of his home district, shall list such students separately on the application, giving such information as may be requested by the Department of Education and the Joint Legislative Advisory Committee. The Department of Education, subject to approval of the Joint Legislative Advisory Committee, shall formulate rules to determine the eligibility of students who are not approved scholastics of their home districts.

Sec. 4. County Boards of Trustees are hereby authorized to employ bus drivers for one year and the salary of no bus driver may be paid out of the County Board Transportation Fund created herein unless such bus driver is so employed. Provided further, that only pupils or persons directly connected with the school system shall be transported on school buses while in the process of transporting pupils to and from the school and any bus driver violating the foregoing provisions shall forfeit his contract and shall be immediately discharged by the County Board of Trustees. However, subject to the provisions herein, bus drivers who own their own buses and are so employed may be given a contract for not to exceed two (2) years conditioned that said bus drivers agree to make improvements on their buses, so as to more adequately insure safer transportation for the scholastics, and the route of such bus is not changed for the second year of the contract.

Article 6. Duties of the State Superintendent of Public Instruction and of the Joint Legislative Advisory Committee.

It shall be the duty of the State Superintendent of Public Instruction, and he is hereby authorized, to take such action and to make such rules and regulations not inconsistent with the terms of this Act as may be necessary to carry out the provisions and intentions of this Act, subject to the approval of the Joint Legislative Advisory Committee created in this Act, and for the best interest of the schools for whose benefit the funds are appropriated. It shall be the duty of the State Superintendent of Public Instruction to appoint the number of Deputy State Superintendents hereinafter authorized to make a thorough investigation, in person, of the school plant, teaching staff, and financial condition of each school applying for aid; and no aid shall be given unless it can be shown that all provisions of this Act have been complied with and that such amount of aid actually needed as shown by the approved budget and actual expenditures and that the funds are being used as approved. The State Superintendent of Public Instruction shall employ twenty-four (24) Deputy State Superintendents and such other employees as may be authorized in the Departmental Appropriation Bill for the biennium ending August 31, 1943, and shall pay such salaries as are therein authorized and expend such other monies as therein permitted out of the appropriation as shown for the Equalization Division of the Department of Education as herein provided and allocated, and such deputies and other employees shall be used exclusively for the administration and supervision of this Act. In order to carry out and expedite the provisions of this Act, each of the twenty-four (24) Deputy State Superintendents authorized to be appointed herein, shall reside in the respective supervisory districts twelve (12) months in the year, except when out of the district on authorized vacation or on official business. The salaries and traveling expenses and other contingent expenses of the herein authorized employees are hereby appropriated. All of the appropriation for the administration of this Act shall be used exclusively by the Equalization Division and none of the appropriation for travel and contingent expense shall be used except by the Director of Equaliza-

tion, the Executive Secretary and the regularly employed Deputy State Superintendents. In the event the appropriations and allocations of Aid made herein are insufficient to pay the total of all applications showing need, the State Superintendent and the Director of Equalization subject to the approval of the Joint Legislative Advisory Committee shall reduce all applications pro rata so as to bring the aggregate of all applications approved within the appropriations and all allocations herein made, and in order to accomplish this, said Director shall reduce the authorized expenditures of all schools applying for Salary Aid pro rata; shall lower the tuition rate of all schools applying for Tuition pro rata; and decrease the Transportation Aid of each scholastic transported pro rata, so as to bring the total Salary Aid, Tuition Aid and Transportation Aid within the allocations herein set forth. Appeals from the decision of the State Superintendent shall be made to the Joint Legislative Advisory Committee for adjustments and the decisions of said Committee shall be final.

**Article 7. Function of the Deputy State Superintendents.**

The Deputy State Superintendents authorized under the provisions of this Act are hereby directed to visit all schools desiring aid under the provisions of this Act. Such inspection as required in Article 6 shall be completed and reports made to the Director of Equalization not later than January 31st of each scholastic year. Such Deputy State Superintendent shall advise with school officials concerning proper budgeting of their school funds and assist the districts in making their applications for aid. During the second semester of the year the Deputy State Superintendent shall again check to ascertain whether the standards are being maintained and the funds used as approved. All schools affected either directly or indirectly by this Act desiring to become accredited or affiliated by the State Department of Education shall make application upon a form to be furnished by the State Department of Education to the Deputy State Superintendent in whose district the school is located. The Deputy State Superintendent shall make his recommendation to the State Superintendent of Public

Instruction who shall approve or reject said application.

**Article 8. Transfer of the Entire District by Contract.**

**Section 1.** For the school year 1941-42, upon the agreement of the Board of Trustees of the districts concerned or on petition signed by a majority of the qualified voters of the district and subject to the approval of the County Superintendent, State Superintendent, and Joint Legislative Advisory Committee, the trustees of a district which may be unable to maintain a satisfactory school may transfer its entire scholastic enrollment, or any number of grades thereof, to a convenient school of higher rank, and in such event, all of the funds of the district, including the State aid to which the district would otherwise be entitled under the provisions of this Act, or such proportionate part thereof as may be necessary shall be used in carrying out said agreement; provided that no aid shall be allowed for teachers that are not actually employed in the contracting schools.

**Sec. 2.** For the school years thereafter, upon the agreement of the Board of Trustees of the Districts concerned or on petition signed by a majority of the qualified voters of the district and subject to the approval of the County Superintendent, and the State Superintendent, a district which may be unable to maintain a satisfactory school may transfer its entire scholastic enrollment for one year to an accredited school of higher rank. If the receiving school receives State aid, the scholastic census rolls both white and colored shall be combined, the per capita apportionment shall be paid direct to the receiving school, all local taxes of the sending contracting district, except those going to the interest and sinking fund shall be credited to the receiving school by the Tax Collector as collected, and the teacher-pupil quota shall be based on the combined census total. If the receiving school is not a State Aid School, the scholastic census rolls both white and colored shall be combined, the per capita apportionment shall be paid direct to the receiving school, all local taxes of the sending contracting district except those going to the interest and sinking fund shall be credited to the receiving school by the Tax Collector

as collected, and the sending contracting district will be eligible for as much salary aid as is necessary to supplement the State Available and Local Maintenance funds, on the scholastics from the sending district attending a school in the receiving district, to cover the approved cost of instruction per scholastic in the receiving school, provided that such approved cost shall not exceed Seven Dollars and Fifty Cents (\$7.50) per month for High School students or Five Dollars (\$5.00) per month for elementary students.

#### Article 9. Disbursements.

Section 1. Warrants for all money granted under the provisions of this Act shall be approved and transmitted by the State Superintendent of Public Instruction to treasurers of depositories of school districts to which aid is granted in the same manner as warrants for State apportionments are now transmitted. Initial payment of not more than fifty per cent (50%) of Salary Aid, Tuition Aid, and Transportation Aid may be made by the State Superintendent of Public Instruction after September 1 of each year of the biennium as soon as a basis for payment can be determined, and approved by the Joint Legislative Advisory Committee. Not later than January 31 of each year, the initial state inspection of all Equalization Aid School shall be completed. Final payment by warrant of the total amount allotted to any one school shall then be made not later than June 1, or as early as possible thereafter after the approval and upon the order of the Joint Legislative Advisory Committee, except high school tuition. Such final payments shall be made on a percentage basis so that each school approved for aid will receive the same proportion of aid.

Sec. 2. It shall be the duty of all treasurers of depositories to make annual itemized reports under oath to the State Superintendent of Public Instruction of the expenditures of all money granted under the provisions of this Act as herein directed not later than the succeeding October 1st. Districts receiving aid under the provisions of this Act shall issue warrants for not to exceed the amount approved in the budget and for the exact purpose as approved. All warrants issued against a fund

shall be numbered and paid by the depository in the order issued.

#### Article 10. Counties Having no Governing School Board.

In Counties which constitute a single school district and in which there is no governing body designated as the County School Board, the duties authorized in this Act to be performed by the County School Board are hereby conferred upon the existing governing bodies of such districts and all aid shall be granted on the basis of need after proper budgeting, the same as herein provided.

#### Article 11. Federal Government Land Purchases and University Lands.

The State Superintendent shall take into consideration in fixing allowances to school districts applying for aid, any loss sustained by such districts by reason of the location in said districts of Federal owned lands or University owned lands. It is expressly understood that any revenues received by said school districts by virtue of this article must be included as revenue in the budget before calculating a budgetary need for such schools applying for aid.

#### Article 12. Joint Legislative Advisory Committee.

There is hereby provided a special Joint Legislative Advisory Committee composed of five (5) members of the Senate to be appointed by the President of the Senate and five (5) members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Said Committee shall promptly organize and select from its membership a chairman and a secretary and keep a permanent record of its proceedings and shall vote as a unit on all propositions coming before it for consideration. Said Committee shall concur with the State Superintendent of Public Instruction in regulations and interpretations governing the administration of this Act. Said Committee shall also receive and adjust appeals from the decision of the State Superintendent. Said Committee is also directed to study the school laws of this State in order that said laws may be recodified. Said members are to be reimbursed for their actual and necessary expenses from the Contingent Fund of the House of the respective members for the actual and necessary expenses

in performance of their duties as members of said Committee on approval of the Chairman of said Joint Advisory Committee and the Chairman of the respective Contingent Expense Committee of each House, not to exceed Five Thousand Five Hundred (\$5,500.00) Dollars for the first year of the biennium and two Thousand Five Hundred (\$2,500.00) Dollars for the second year of the biennium; provided that any unexpended balance occurring at the end of the fiscal year 1941-1942 in any allocation may be transferred and added to the appropriation for the year ending August 31, 1943. Should for any reason the Joint Legislative Advisory Committee fail or refuse to perform the duties herein imposed upon it, or should the duties, powers, and functions of said Joint Legislative Advisory Committee become inactive or unenforceable, then, and in that event, such duties as are herein imposed on said Joint Legislative Advisory Committee shall be performed by the State Board of Education the same as if said Committee had not been created or authorized.

#### Article 13. Appropriation and Allocation.

Sec. 1. Appropriation. For the purpose of promoting the equalization of educational opportunities afforded by the State of Texas to all enumerated scholastics within the State as herein provided, and for the purpose hereinabove set out, there is hereby appropriated out of the General Revenue Fund of the State of Texas not otherwise appropriated, the sum of \$8,444,190.00, for the school year ending August 31, 1942, and \$8,444,190.00 for the school year ending August 31, 1943, or so much thereof as may be necessary for the biennium ending August 31, 1943, to be allocated and expended under the provisions of this Act by the State Superintendent of Public Instruction through the Director of Equalization in the State Department of Education and under the supervision of the Joint Legislative Advisory Committee created herein.

Sec. 2. Allocation. It is herein specifically provided that out of the money appropriated for each school year of the biennium the sum of \$4,350,000.00 is hereby set aside for Salary Aid; \$920,000.00 for High

School Tuition; \$3,039,020.00 for Transportation Aid; \$113,970.00 for the administration of this Act as provided herein; \$8,200.00 for the operation of the school plant division in the Department of Education, as permitted, authorized, and appropriated in the general Departmental Appropriation Bill, for the biennium ending August 31, 1943, \$5,000.00 for the Census Division in the Department of Education to be expended by the director thereof on order of the Joint Legislative Advisory Committee for checking and approving school census rolls in seasonal labor not to exceed 40¢ per hour therefor, \$8,000.00 for the purpose of employing an auditor and for such other and necessary expenses incident to the duties of the Joint Legislative Advisory Committee. Such auditor shall not receive more than \$3,600 per year out of the sum hereby allocated. The auditor and other authorized employees shall be appointed by the Committee and their salary and necessary expenses be paid on order of said Committee and all such employees shall be under the direct supervision of said Committee or its order. Each of the above named allocations is for each year of the biennium.

Any unexpended balance under either of the above allocations at the end of the first year of the biennium shall be transferred by order of the Joint Legislative Advisory Committee to any allocation herein created and set up.

#### Article 14. Penalty Provision.

Any district violating any of the provisions of this Act shall forfeit all rights to such aid and shall be disqualified to receive any aid of any nature under any Article of this Act for the current year. Should any school district which would otherwise be eligible to receive aid fail to use the funds for the exact purpose for which they were allocated in the approved budget, such school district becomes ineligible for further aid until such offense is corrected. The amount of money granted for each type of aid except tuition shall be set up as a separate account by the district receiving same and disbursements from said accounts shall be made only for the specified purpose for which such money was granted.

It shall be unlawful for any County School Superintendent or the superintendent of any common or independent school district, school teacher, county trustee, and/or district trustee, or any other person to use or promise to use, pay or promise to pay, any of the funds herein appropriated for the purpose of paying the salary and/or expense of any person or persons to maintain a lobby for any purpose.

**Article 15. Repealing and Constitutional Clauses.**

All laws or parts of laws in conflict herewith are hereby repealed, and in the event any provision of this Act is declared unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Act shall nevertheless remain in full force and effect.

**Article 16. Emergency Clause.**

The fact that many schools are in need of additional aid other than State per capita apportionment and local maintenance, and the public policy requires that proper provisions be made for the maintenance and support of the schools with as little delay as possible, and the further fact that considerable time is required in preparation for carrying out the terms of this Act, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days, be, and the same is hereby suspended, and this Act shall take effect and be in force from and after September 1, 1941, and it is so enacted.

**BILLS REREFERRED**

Mr. Howard moved that Senate Bill No. 501 be withdrawn from the Committee on Municipal and Private Corporations and referred to the Committee on Military Affairs.

The motion prevailed.

Mr. Stinson moved that House Bill No. 1092 be withdrawn from the Committee on Municipal and Private Corporations and referred to the Committee on Military Affairs.

The motion prevailed.

**REMARKS OF HONORABLE  
JOHN PETER STUBBS**

On motion of Mr. Dove, the following remarks of Honorable John

Peter Stubbs, in addressing the House, were printed in the Journal:

Mr. Speaker, Ladies and Gentlemen of the 47th Legislature:

I want to express my appreciation to the Members, officers, the clerks, the stenographers, the press, the pages and the porters for the many kindnesses and courtesies shown me during the session now drawing to a close.

As we go back to our various districts and homes I will ever remember each of you as my friend, and may I be remembered as your friend, and may it be our happy privilege to meet on many, many more occasions.

Life is made up of trials and disappointments, and I have always fought for what I thought was right, just as you have done. At times I have been mistaken and have made enemies that I have forgotten, and I pray that they have forgiven me.

In the closing hours of the Legislature back in 1913 (our esteemed and gracious parliamentarian, Reed Granberry, was a Page in that session and will recall this statement), the late and revered Louis J. Worthington arose and bade farewell to his fellow Members and in closing used the following famous quotation, which I recall: "May the doves of peace and plenty perch in the alcoves of thy home and there dwell in happiness and prosperity forever."

The sentiment of that great Texan from whom and for whom my home town derived its distinguished name, are my sentiments, as we make our plans to part.

As we stand beneath our Capitol Dome today, we are reminded of the fact that ours is a wonderful history; that ours is a twice glorious heritage; that ours is a State of matchless resources, and that to us of Texas, the biggest and best of all States in the Union; that it is worthy of us to be grateful to our fathers who built well the foundation of our country. We are the custodians of the present and have our daily bread to earn. We have the future generations to remember and serve just as our ancestors served us.

If I have rendered a constructive service to my State and to my constituents worthy of the honor imposed upon me, I am exceedingly happy and thankful of having had

the privilege and opportunity of serving in the 47th Legislature with one of the finest groups of ladies and gentlemen that ever sat within this legislative hall. And I would ask that you ever remember the happiest business in the world is that of making friends; no investment on the Street pays larger dividends.

"For Life is more than stocks and bonds, or Love than rate per cent,

And he who gives in friendship's name shall reap as he has spent."

And in conclusion, may I make this wish for each of you. "I wish for you that length of years which shall mature every faculty, ripen every virtue and harvest every hope." And "May He who holds our destiny within the hollow of His hand bless each of you with a double portion of health, happiness and prosperity, is my humble prayer for you."

#### HOUSE BILL NO. 166 WITH SENATE AMENDMENTS

Mr. Bullock called up from the Speaker's table, with Senate amendments, for considering of the amendments,

H. B. No. 166, A bill to be entitled "An Act to amend Article 4557, 4558, 4559, 4561, 4562, Title 71, of the Revised Civil Statutes of Texas, 1925, requiring all persons desiring to practice optometry in Texas to pass an examination; repealing all laws or parts of laws in conflict with this Act; declaring that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and declaring an emergency."

Mr. Bullock moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Chair announced the appointment of the following Conference Committee on House Bill No. 166:

Messrs. Bullock, Jones, Kinard, Lock and Carlton.

#### REPORT OF COMMITTEE TO INVESTIGATE EMPLOYMENT OF WAR VETERANS IN STATE DEPARTMENTS

Mr. Rhodes submitted the following report:

H. S. R. No. 272,

#### Resolution

Whereas, There is a State law that provides that every State Department in this State shall give a ten per cent (10%) preference to all honorably discharged soldiers, sailors, marines, and nurses of the United States Army and Navy; and

Whereas, It has come to the knowledge of this body that such law is not being complied with by all the Departments in this State; now, therefore, be it

Resolved by the House of Representatives, That a committee of three members be appointed by the Speaker to make an inquiry as to how many soldiers, sailors, marines, and nurses are employed, and if a Department does not have its full quota ascertain the reason why; and be it further

Resolved, That this committee be instructed to report back to this body as soon as possible.

KINARD,  
MANFORD,

HOMER LEONARD,  
Speaker of the House.

I hereby certify that House Simple Resolution No. 272 was adopted by the House on May 15, 1941, by the following vote: Yeas, 101; nays, 14.

E. R. LINDLEY,  
Chief Clerk of the House.

Investigating Committee: Cecil T. Rhodes, Chairman; Herbert F. Brawner, J. A. Benton.

#### Report to the 47th Legislature Investigating Committee of Veterans Preference Act

Department	Total Employees	Total Veterans
*Adjutant General's Department—Brigadier General J. Watt Page	95	35

*Department of Agriculture—J. E. McDonald, Commissioner	82 (255 PT)	18 (34 PT)
Office of the Attorney General of Texas—Gerald C. Mann, Attorney General	78 (10 PT)	2
Austin State Hospital—C. H. Standifer, M. D.	356	15
*Department of Banking—Lee Brady, Commissioner	20	2
*State Board of Control—Harry Knox, Chairman; Tom DeBerry, Member; Frank Davis, Member	102	12
Board of Pardons and Paroles—T. C. Andrews, Chairman	9 (1 PT)	0
Texas Casualty Insurance Department—Joe P. Gibbs, Commissioner	35	0
State Commission for the Blind—Hazel Beckham, Director	15	0
*Comptroller of Public Accounts—George H. Sheppard, Comptroller	346	39
*State Department of Education—L. A. Woods, Superintendent	112	16
*Executive Department—W. Lee O'Daniel, Governor	165	27
*Fire Insurance Department—Marvin Hall, Commissioner	60	7
*Game, Fish and Oyster Commission—Wm. J. Tucker, Executive Secretary	179	28
*Texas State Board of Health—George W. Cox, M. D., Health Officer	701	70
Texas Highway Department—Brady Gentry, Chairman; Reuben Williams, Member; Robert Lee Bobbitt, Member	7,566	635
Industrial Accident Board—Otto Studer, Chairman	23	0
Bureau of Labor Statistics—John D. Reed, Commissioner	28	2
*General Land Office—Bascom Giles, Commissioner	68	9
*Life Insurance Department—O. P. Lockhart, Commissioner	52	6
*Texas Liquor Control Board—Bert Ford, Administrator	254 (10 PT)	37
*Texas State Parks Board—Frank D. Quinn, Executive Secretary	41	3
*Texas Prison System—O. J. S. Ellingson, General Manager	487	64
Department of Public Safety—Homer Garrison, Jr., Director	408	27
State Department of Public Welfare—John S. Murchison, Executive Director	582	41
*Railroad Commission of Texas—Ernest O. Thompson, Chairman; Jerry Sadler, Commissioner; Olin Culberson, Commissioner	351	53
*Secretary of State—William J. Lawson, Secretary of State	53	5
Teacher Retirement System of Texas—S. Mortimer Brown, Executive Secretary	17	2
*Texas Unemployment Compensation Commission—Claude A. Williams, Chairman	1,294	172
Treasury Department—Charley Lockhart, State Treasurer	59	3

\*Quota or above.

Report on other State Departments to follow.

**INVITING HON. SAM RAYBURN  
TO ADDRESS A JOINT SES-  
SION OF THE LEGIS-  
LATURE**

Mr. Hardeman offered the following resolution:

H. C. R. No. 266, Inviting Honorable Sam Rayburn to address a Joint Session of the Legislature.

Whereas, Texas has been signally honored in the National Congress by having one of its most distinguished sons as the Speaker of the House of Representatives in Washington; and

Whereas, The Honorable Sam Rayburn served with distinction both as a Member and as the presiding officer of the Texas House of Representatives; and

Whereas, He has served his State and Nation unselfishly, constructively and patriotically; and

Whereas, The newspapers report that he is to be in Texas on Saturday, June 21, 1941; now, therefore, be it

Resolved, by the House of Representatives of Texas, the Senate concurring, That the Honorable Sam Rayburn, Speaker of the National House of Representatives, be invited to address the House and Senate in Joint Session, at such time and as may be convenient to Mr. Rayburn; and be it further

Resolved, That the Chief Clerk of the House be instructed to communicate with the Honorable Sam Rayburn immediately to determine the time and date which would be most convenient to him, if it is possible for him to accept this invitation.

HARDEMAN,  
MORRIS,  
CARLTON,  
MOORE,  
CONNELLY,  
EVANS,  
BENTON,  
MURRAY,  
WEATHERFORD,  
CROSTHWAIT.

The resolution was read second time and was unanimously adopted.

(Mr. McMurry in the Chair.)

**TO GRANT PERMISSION TO  
SUE THE STATE**

The Chair laid before the House, for consideration at this time, the following resolution:

H. C. R. No. 247, To grant H. S. Middlemiss permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

Yeas—104

Alsup	Harris of Hill
Bailey	Hartzog
Baker	Helpinstill
Bell	Henderson
Benton	Hileman
Blankenship	Hobbs
Bridgers	Howington
Brown	Hoyo
Bullock	Huddleston
Bundy	Huffman
Burkett	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Jones
Celaya	Kelly
Chambers	King
Clark	Klingeman
Cleveland	Lehman
Coker	Leyendecker
Colson, Mrs.	Little
Connelly	Lock
Crosthwait	Love
Daniel	Lowry
Davis	Lucas
Deen	McAlister
Donald	McDonald
Dove	McGlasson
Duckett	McMurry
Dwyer	McNamara
Ellis	Manford
Evans	Markle
Ferguson	Martin
Files	Matthews
Fitzgerald	Montgomery
Fuchs	Morris
Gandy	Morse
Garland	Murray
Hanna	Pace
Hargis	Parker
Harris of Dallas	Pevehouse



Phillips	Smith of Bastrop	Bell	Leyendecker
Price	Spacek	Benton	Little
Rampy	Stanford	Blankenship	Lock
Reed of Bowie	Stubbs	Bridgers	Love
Ridgeway	Taylor	Brown	Lowry
Rhodes	Thornton	Bullock	Lucas
Roberts	Turner	Burkett	McAlister
Sallas	Vale	Carlton	McGlasson
Senterfitt	Voigt	Carrington	McLellan
Shell	Wattner	Cato	McMurry
Simpson	Weatherford	Celaya	McNamara
Skiles	White	Clark	Markle
Absent		Cleveland	Martin
Avant	Lansberry	Coker	Matthews
Burnaman	Moore	Colson, Mrs.	Montgomery
Crossley	Morgan	Connelly	Moore
Dickson of Bexar	Reed of Dallas	Crosthwait	Morgan
Favors	Roark	Daniel	Morris
Gilmer	Sharpe	Davis	Morse
Goodman	Smith of Atascosa	Donald	Murray
Hardeman	Stinson	Duckett	Pace
Howard	Spangler	Dwyer	Parker
Kennedy	Walters	Ellis	Pevehouse
Kinard	Whitesides	Ferguson	Phillips
Knight	Winfree	Files	Price
Absent—Excused		Fitzgerald	Rampy
Allen	Halsey	Fuchs	Reed of Bowie
Allison	Hefin	Gandy	Ridgeway
Bean	Isaacks	Garland	Rhodes
Boone	Kersey	Hanna	Roberts
Brawner	Lyle	Hardeman	Sallas
Bray	McCann	Hargis	Senterfitt
Bruhl	McLellan	Harris of Dallas	Shell
Craig	Manning	Harris of Hill	Simpson
Dickson of Nolan	Mills	Hartzog	Skiles
Eubank	Nicholson	Helpinstill	Smith of Bastrop
TO GRANT PERMISSION TO SUE THE STATE		Henderson	Spacek
The Chair laid before the House, for consideration at this time, the following resolution:		Hileman	Stanford
S. C. R. No. 71, To grant A. T. Mast and H. R. Mast permission to sue the State.		Hobbs	Stinson
The resolution having heretofore been read second time and referred to the Committee on State Affairs.		Howard	Stubbs
The Committee on State Affairs having recommended the adoption of the resolution.		Howington	Taylor
The resolution was then adopted by the following vote:		Hoyo	Thornton
Yeas—107		Hughes	Turner
Alsop	Bailey	Humphrey	Vale
Avant	Baker	Hutchinson	Voigt
		Jones	Walters
		Kelly	Wattner
		Kinard	Weatherford
		King	White
		Klingeman	Whitesides
		Knight	Winfree
		Lehman	Absent
		Bundv	Gilmer
		Burnaman	Goodman
		Chambers	Huddleston
		Crossley	Huffman
		Deen	Lansberry
		Dickson of Bexar	McDonald
		Dove	Manford
		Favors	Reed of Dallas

Roark  
Sharpe

Smith of Atascosa  
Spangler

Absent—Excused

Allen  
Allison  
Bean  
Boone  
Brawner  
Bray  
Bruhl  
Craig  
Dickson of Nolan  
Eubank  
Evans

Halsey  
Heflin  
Isaacks  
Kennedy  
Kersey  
Lyle  
McCann  
Manning  
Mills  
Nicholson

TO GRANT PERMISSION TO  
SUE THE STATE

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 73, To grant A. T. Mast permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

Yeas—106

Alsup	Favors
Avant	Ferguson
Bailey	Files
Baker	Fitzgerald
Bell	Fuchs
Benton	Gandy
Blankenship	Garland
Bridgers	Gilmer
Brown	Goodman
Burkett	Hanna
Carlton	Hardeman
Carrington	Hargis
Cato	Harris of Dallas
Celaya	Harris of Hill
Chambers	Hartzog
Clark	Helpinstill
Coker	Henderson
Colson, Mrs.	Hileman
Connelly	Hobbs
Crosthwait	Howard
Daniel	Howington
Donald	Hoyo
Dove	Huddleston
Duckett	Hughes
Ellis	Humphrey
Evans	Hutchinson

Jones  
Kelly  
Kinard  
King  
Klingeman  
Lehman  
Leyendecker  
Little  
Lock  
Love  
Lowry  
Lucas  
McAlister  
McDonald  
McGlasson  
McLellan  
McMurry  
McNamara  
Manford  
Markle  
Martin  
Matthews  
Montgomery  
Moore  
Morris  
Morse  
Murray

Pace  
Parker  
Pevehouse  
Phillips  
Price  
Rampy  
Ridgeway  
Rhodes  
Roberts  
Sallas  
Senterfitt  
Shell  
Simpson  
Skiles  
Smith of Bastrop  
Smith of Atascosa  
Spacek  
Stanford  
Taylor  
Thornton  
Vale  
Voigt  
Wattner  
Weatherford  
White  
Whitesides  
Winfree

Absent

Bullock	Lansberry
Bundy	Morgan
Burnaman	Reed of Bowie
Cleveland	Reed of Dallas
Crossley	Roark
Davis	Sharpe
Deen	Spangler
Dickson of Bexar	Stinson
Dwyer	Stubbs
Huffman	Turner
Knight	Walters

Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kennedy
Brawner	Kersey
Bray	Lyle
Bruhl	McCann
Craig	Manning
Dickson of Nolan	Mills
Eubank	Nicholson

ADOPTION OF CONFERENCE  
COMMITTEE REPORT ON  
S. C. R. NO. 66

Mr. Stinson submitted the following Conference Committee report on Senate Concurrent Resolution No. 66:

Austin, Texas, June 18, 1941.

Hon. Coke R. Stevenson, President  
of the Senate;

Hon. Homer Leonard, Speaker of the  
House.

Sirs: We, your Conference Committee appointed to adjust the differences between the two Houses on Senate Concurrent Resolution No. 66, have met and beg leave to recommend that said Senate Concurrent Resolution No. 66 be passed in the form hereto attached.

Respectfully submitted,

MOFFETT,  
LEMENS,  
LANNING,  
AIKIN,  
ISBELL,

On the part of the Senate.

STINSON,  
CARRINGTON,  
HUGHES,  
SKILES,

On the part of the House.

S. C. R. No. 66, Relating to a well considered plan for expansion of office facilities for the State Government.

Whereas, When the present Capitol Building was erected, the population of the State was barely one-fourth of its present population; and

Whereas, There is reasonable expectation of continued growth in the population of Texas; and

Whereas, In recent years and since the erection of the present Capitol Building, the State Government has been required by public opinion, and by the adoption of Constitutional Amendments, to engage in many new functions and activities, that were not contemplated when the present Capitol Building was erected, such as Unemployment Compensation, Social Security, expanded agricultural, military, educational, health, and highway facilities, regulation of utilities, the transportation industry, the petroleum industry, and various other well organized and essential governmental functions; and

Whereas, These recent additional activities of the State Government have separately and collectively brought about a very greatly expanded need for well arranged office

space and office buildings in which to house the various State offices and departments; and

Whereas, Said expansion will probably continue, in keeping with the increase in the State's population, and the increase in the demands of the public for additional services from the Government; and

Whereas, At the present time, a considerable portion of the State's employees and valuable records are being taken care of in widely separated offices in various parts of the Capital City, thus tending to lower the efficiency of the State Government, and, at the same time, considerably adding to the inconvenience of the people who have occasion to deal with the various departments; and

Whereas, It has thus developed that it may become necessary to acquire additional grounds near the present Capitol Building, upon which to construct suitable fireproof office buildings, and provide appropriate space for parking, and other means of ingress and egress to said buildings, and to the State Capitol; and

Whereas, The same should be accomplished and brought about through a well considered plan, whereby the maximum efficiency in the State Departments may be maintained at the least expense; and

Whereas, The beauty and culture of its Capital City has been the greatest pride and glory of every Nation from the days of ancient Greece to the present time; and

Whereas, The present generation could bequeath to posterity no more valuable gift than a carefully devised plan for the future beautification and development of this Capital City; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That in order to accomplish the above mentioned desired purposes that the Lieutenant Governor shall appoint from the membership of the Senate three disinterested, competent Members of the Senate, and the Speaker of the House shall appoint three disinterested, competent Members of the House of Representatives, said Members collectively to be known as the Capital Planning Commission; and that said

Commission be and is hereby instructed and authorized to make a complete survey of the needs of the State with special reference to the location of public buildings that may be erected in the future, including parks, drives, and boulevards to properly harmonize with the general plan of development, and so as to conform to and continue as nearly as possible to the present development of the Capitol buildings and grounds, and the University buildings and campus; and in order that future generations may have suitable basic plans for the building and development of a Capital City worthy of the great State of Texas; and be it further

Resolved, that said Commission be authorized to ask for the cooperation and assistance of the City Planning Commission of Austin, any State-wide technical organizations or any departments of State, or State institutions, to the end that these plans will be drafted with the least possible expense; that said Commission is hereby instructed to make a complete survey of the needs of the State, and of the availability of property which may become useful to the State; and that said Commission be further instructed to make a report to a Special Session of the Forty-seventh Legislature, if there be one, or if there is none, to the Regular Session of the Forty-eighth Legislature, with suitable recommendations.

On motion of Mr. Skiles, the report was adopted.

#### HOUSE BILL NO. 312 WITH SENATE AMENDMENTS

Mr. Hutchinson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 312, A bill to be entitled "An Act amending Article 2843 of the Revised Civil Statutes (1925), of the State of Texas providing for a uniform free text book system; and declaring an emergency."

On motion of Mr. Hutchinson, the House concurred in the Senate amendments, by the following vote:

#### Yeas—106

Alsup	Hutchinson
Avant	Kelly
Bailey	King
Baker	Klingeman
Bell	Knight
Blankenship	Lansberry
Bridgers	Lehman
Brown	Leyendecker
Bullock	Little
Bundy	Lock
Burkett	Love
Carlton	Lowry
Carrington	Lucas
Cato	McAlister
Chambers	McGlasson
Clark	McLellan
Cleveland	McNamara
Coker	Markle
Colson, Mrs.	Matthews
Connelly	Montgomery
Crossley	Moore
Crosthwaite	Morris
Daniel	Morse
Davis	Murray
Donald	Pace
Dove	Parker
Duckett	Pevehouse
Dwyer	Phillips
Ellis	Price
Evans	Rampy
Ferguson	Reed of Bowie
Fitzgerald	Reed of Dallas
Fuchs	Ridgeway
Gandy	Rhodes
Garland	Roberts
Gilmer	Sallas
Goodman	Senterfitt
Hanna	Shell
Hardeman	Skiles
Hargis	Smith of Bastrop
Harris of Dallas	Smith of Atascosa
Harris of Hill	Spacek
Hartzog	Stanford
Helpinstill	Stinson
Henderson	Taylor
Hileman	Thornton
Hobbs	Vale
Howard	Voigt
Howington	Walters
Hoyo	Wattner
Huddleston	White
Hughes	Whitesides
Humphrey	Winfree

#### Present—Not Voting

McMurry	Simpson
---------	---------

#### Absent

Benton	Burnaman
--------	----------

Celaya	Manford
Deen	Martin
Dickson of Bexar	Morgan
Favors	Roark
Files	Sharpe
Huffman	Spangler
Jones	Stubbs
Kinard	Turner
McDonald	Weatherford

## Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kennedy
Brawner	Kersey
Bray	Lyle
Bruhl	McCann
Craig	Manning
Dickson of Nolan	Mills
Eubank	Nicholson

## MESSAGE FROM THE SENATE

Austin, Texas, June 20, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has rejected the conference report on Senate Bill No. 471, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated, etc.; and declaring an emergency." By the following vote: Yeas, 11; nays, 15.

## Adopted

H. C. R. No. 231, Suspending Constitutional Rule on Senate Bill No. 221.

H. C. R. No. 259, Instructing the Enrolling Clerk of the House to change the figures "154" to "271" in House Bill No. 1038 wherever same occur.

H. C. R. No. 261, Instructing the Enrolling Clerk to make corrections in House Bill No. 161.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 1087 ON  
SECOND READING

Mr. Taylor moved that the necessary Rules be suspended, for the pur-

55—Jour.

pose of taking up and considering, at this time, House Bill No. 1087.

The motion prevailed.

The Chair then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1087, A bill to be entitled "An Act to amend House Bill No. 930 of the Forty-seventh Legislature by adding thereto a new section to follow Section 1 thereof, and to be known as Section 1a, to provide that any unexpended balance in the sums of money appropriated to the Adjutant General's Department in House Bill No. 930, for the purposes stated, on hand August 31, 1941, are appropriated to the Adjutant General's Department for the purposes stated in House Bill No. 930 for the two-year period beginning September 1, 1941, and ending August 31, 1943; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1087 ON  
THIRD READING

Mr. Taylor moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1087 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—107

Alsup	Crossley
Avant	Crothwait
Bailey	Daniel
Bell	Davis
Benton	Duckett
Blankenship	Dwyer
Brown	Ellis
Bullock	Evans
Bundy	Favors
Burnaman	Ferguson
Carlton	Files
Carrington	Fuchs
Cato	Gandy
Celaya	Garland
Chambers	Gilmer
Clark	Goodman
Cleveland	Hanna
Coker	Hardeman
Colson, Mrs.	Hargis
Connelly	Harris of Dallas

Harris of Hill	Montgomery
Hartzog	Moore
Helpinstill	Morris
Henderson	Morse
Hileman	Murray
Howard	Pace
Howington	Parker
Hoyo	Pevehouse
Huddleston	Price
Hughes	Rampy
Humphrey	Reed of Bowie
Hutchinson	Reed of Dallas
Jones	Ridgeway
Kelly	Rhodes
King	Roberts
Klingeman	Sallas
Knight	Senterfitt
Lansberry	Shell
Lehman	Skiles
Leyendecker	Smith of Bastrop
Little	Smith of Atascosa
Lock	Stanford
Love	Stinson
Lowry	Stubbs
Lucas	Taylor
McAlister	Thornton
McDonald	Turner
McGlasson	Voigt
McLellan	Walters
McNamara	Wattner
Manford	Weatherford
Markle	Whitesides
Martin	Winfree
Matthews	

## Nays—2

Donald	Spacek
--------	--------

## Present—Not Voting

McMurry

## Absent

Baker	Kinard
Bridgers	Morgan
Burkett	Phillips
Deen	Roark
Dickson of Bexar	Sharpe
Dove	Simpson
Fitzgerald	Spangler
Hobbs	Vale
Huffman	White

## Absent—Excused

Allen	Dickson of Nolan
Allison	Eubank
Bean	Halsey
Boone	Hefin
Brawner	Isaacks
Bray	Kennedy
Bruhl	Kersey
Craig	Lyle

McCann	Mills
Manning	Nicholson

The Chair then laid House Bill No. 1087 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—101

Alsup	Kelly
Avant	Kinard
Bailey	King
Bell	Klingeman
Benton	Lansberry
Blankenship	Leyendecker
Bridgers	Little
Brown	Lock
Bullock	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	McAlister
Cato	McLellan
Celaya	McNamara
Chambers	Manford
Clark	Markle
Cleveland	Montgomery
Coker	Moore
Colson, Mrs.	Morris
Connelly	Morse
Crossley	Murray
Daniel	Pace
Davis	Parker
Duckett	Pevehouse
Dwyer	Price
Ellis	Rampy
Favors	Reed of Bowie
Ferguson	Reed of Dallas
Files	Ridgeway
Fitzgerald	Rhodes
Fuchs	Roberts
Gandy	Sallas
Garland	Senterfitt
Gilmer	Shell
Goodman	Simpson
Hanna	Skiles
Hardeman	Smith of Bastrop
Hargis	Smith of Atascosa
Harris of Hill	Spacek
Hartzog	Stanford
Helpinstill	Stinson
Henderson	Stubbs
Hileman	Taylor
Howard	Thornton
Howington	Vale
Hoyo	Walters
Huddleston	Wattner
Hughes	Weatherford
Humphrey	Whitesides
Hutchinson	Winfree
Jones	

## Nays—2

Donald                      Matthews  
Present—Not Voting

McMurry

## Absent

Baker	McDonald
Bundy	McGlasson
Burkett	Martin
Crosthwait	Morgan
Deen	Phillips
Dickson of Bexar	Roark
Dove	Sharpe
Harris of Dallas	Spangler
Hobbs	Turner
Huffman	Voigt
Knight	White
Lehman	

## Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kennedy
Brawner	Kersey
Bray	Lyle
Bruhl	McCann
Craig	Manning
Dickson of Nolan	Mills
Eubank	Nicholson
Evans	

ADDITIONAL SIGNERS OF HOUSE  
BILL NO. 9

On motion of Mr. Morris, unanimous consent of the House was given for any Member to sign House Bill No. 9 as signers thereof.

HOUSE BILL NO. 9 ON PASSAGE  
TO ENGROSSMENT

The Chair laid before the House, on its passage to engrossment,

H. B. No. 9, A bill to be entitled "An Act providing for the processing tax of one cent (1¢) per gallon on all combustible condensates, such as refined gasoline, naphtha, casing-head gasoline, natural gasoline, drip gasoline, and all other combustible condensates of crude petroleum, natural gas, or any other product by any method of refining, manufacturing, processing, separating, extracting, compounding, blending, or storing, whether manufactured within or without this State, by any person, agent, manufacturer, producer, corporation, partnership, association,

or otherwise, in any refinery, manufacturing plant, processing plant, separating plant, extracting plant, compounding plant, blending plant, storage plant, or any other place or by any other method used for the purpose of producing or storing combustible condensates, etc.; and declaring an emergency."

The bill having heretofore been read second time.

Mr. Morris moved a call of the House until House Bill No. 9 is disposed of, and the call was duly ordered.

Mr. Morris moved to reconsider the vote by which the call of the House was ordered, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—56

Allen	Lehman
Bailey	Leyendecker
Baker	Little
Bell	Love
Blankenship	Lucas
Bundy	McLellan
Carlton	Manford
Cato	Moore
Coker	Morse
Connelly	Pace
Daniel	Pevehouse
Davis	Phillips
Deen	Rampy
Donald	Reed of Bowie
Ellis	Rhodes
Gilmer	Roberts
Hanna	Sallas
Hardeman	Senterfitt
Hargis	Skiles
Harris of Dallas	Smith of Atascosa
Harris of Hill	Spacek
Helpinstill	Stinson
Hileman	Stubbs
Howington	Taylor
Humphrey	Wattner
Hutchinson	White
Klingeman	Whitesides
Lansberry	Winfree

## Nays—42

Alsup	Bullock
Avant	Burnaman
Brown	Clark

Cleveland	Lock
Colson, Mrs.	Lowry
Crossley	McAlister
Crosthwait	McDonald
Duckett	McGlasson
Favors	McNamara
Ferguson	Markle
Fitzgerald	Matthews
Fuchs	Montgomery
Gandy	Murray
Garland	Parker
Henderson	Ridgeway
Hobbs	Simpson
Hoyo	Smith of Bastrop
Hughes	Thornton
Jones	Turner
Kinard	Walters
Knight	Weatherford

Present—Not Voting

McMurry

Absent

Benton	Kelly
Bridgers	King
Burkett	Martin
Carrington	Morgan
Celaya	Morris
Chambers	Price
Dickson of Bexar	Reed of Dallas
Dove	Roark
Dwyer	Sharpe
Files	Shell
Goodman	Spangler
Hartzog	Stanford
Howard	Vale
Huddleston	Voigt
Huffman	

Absent—Excused

Allison	Halsey
Bean	Heflin
Boone	Isaacks
Brawner	Kennedy
Bray	Kersey
Bruhl	Lyle
Craig	McCann
Dickson of Nolan	Manning
Evans	Mills
Eubank	Nicholson

The roll of the House was called,  
and the following Members were  
present:

Mr. Speaker	Benton
Alsup	Blankenship
Avant	Bridgers
Bailey	Brown
Baker	Bullock
Bell	Bundy

Burkett	Klingeman
Burnaman	Knight
Carrington	Lansberry
Cato	Lehman
Celaya	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	McAlister
Crossley	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Davis	McMurry
Deen	Manford
Dickson of Bexar	Markle
Donald	Martin
Dove	Matthews
Duckett	Morris
Dwyer	Morse
Ellis	Murray
Evans	Pace
Favors	Parker
Ferguson	Pevehouse
Files	Phillips
Fitzgerald	Rampy
Fuchs	Reed of Bowie
Gandy	Ridgeway
Garland	Rhodes
Gilmer	Roberts
Goodman	Sallas
Hanna	Senterfitt
Hardeman	Shell
Hargis	Simpson
Harris of Dallas	Skiles
Harris of Hill	Smith of Bastrop
Hartzog	Smith of Atascosa
Helpinstill	Spacek
Henderson	Stanford
Hileman	Stinson
Hobbs	Stubbs
Howington	Taylor
Hoyo	Thornton
Huddleston	Turner
Hughes	Vale
Humphrey	Voigt
Hutchinson	Walters
Jones	Wattner
Kelly	White
Kinard	Whitesides
King	Winfree

Absent

Carlton	Price
Howard	Reed of Dallas
Huffman	Roark
McNamara	Sharpe
Montgomery	Spangler
Moore	Weatherford
Morgan	



Absent—Excused		Stinson	White
Allen	Halsey	Vale	Whitesides
Allison	Heffin	Weatherford	Winfree
Bean	Isaacks	Nays—62	
Boone	Kennedy	Alsup	Kennedy
Brawner	Kersey	Bailey	Lansberry
Bray	Lyle	Baker	Lehman
Bruhl	McCann	Bell	Leyendecker
Craig	Manning	Brown	Little
Dickson of Nolan	Mills	Bullock	Lock
Eubank	Nicholson	Burnaman	Love
A quorum was announced present.		Cleveland	Lowry
Mr. Morris moved that the Sergeant at Arms be instructed to bring in all absent Members within the city who are not ill.		Crossley	McAlister
The motion prevailed.		Daniel	McGlasson
Mr. Love moved to reconsider the vote by which the motion prevailed, and to table the motion to reconsider.		Davis	McLellan
The motion to table prevailed.		Deen	McNamara
Mr. Matthews moved to table House Bill No. 9.		Donald	Manford
Mr. Morris moved the previous question on the motion to table and the engrossment of House Bill No. 9, and the motion was duly seconded.		Ellis	Markle
Question recurring on the motion for the main question, yeas and nays were demanded.		Favors	Matthews
The motion was lost by the following vote:		Files	Morse
Yeas—50		Fitzgerald	Murray
Avant	Hoyo	Gandy	Pace
Blankenship	Huddleston	Gilmer	Pevehouse
Bridgers	Hughes	Goodman	Rampy
Bundy	Kinard	Hanna	Reed of Bowie
Burkett	Klingeman	Harris of Dallas	Reed of Dallas
Carrington	Knight	Harris of Hill	Ridgeway
Coker	Lucas	Hartzog	Roberts
Colson, Mrs.	McDonald	Hileman	Shell
Connelly	McMurry	Hobbs	Simpson
Crosthwait	Martin	Howard	Skiles
Dove	Montgomery	Humphrey	Smith of Atascosa
Duckett	Moore	Hutchinson	Turner
Dwyer	Morris	Jones	Walters
Evans	Parker	Kelly	Wattner
Ferguson	Phillips	Absent	
Fuchs	Price	Benton	King
Garland	Rhodes	Carlton	Morgan
Hardeman	Sallas	Cato	Roark
Hargis	Senterfitt	Celaya	Sharpe
Helpinstill	Smith of Bastrop	Chambers	Spangler
Henderson	Spacek	Clark	Stubbs
Howington	Stanford	Dickson of Bexar	Taylor
		Huffman	Thornton
		Absent—Excused	
		Allen	Halsey
		Allison	Heffin
		Bean	Isaacks
		Boone	Kersey
		Brawner	Lyle
		Bray	McCann
		Bruhl	Manning
		Craig	Mills
		Dickson of Nolan	Nicholson
		Eubank	Voigt
		Question recurring on the motion to table House Bill No. 9, yeas and nays were demanded.	

The motion to table prevailed by the following vote:

## Yeas—65

Avant	Little
Baker	Lock
Brown	Love
Bullock	Lowry
Bundy	McAlister
Burkett	McDonald
Celaya	McLellan
Clark	Manford
Cleveland	Markle
Colson, Mrs.	Martin
Crossley	Matthews
Daniel	Montgomery
Dove	Morse
Duckett	Pace
Dwyer	Parker
Favors	Pevehouse
Ferguson	Price
Fitzgerald	Reed of Bowie
Garland	Ridgeway
Goodman	Rhodes
Hartzog	Roberts
Henderson	Sallas
Hobbs	Shell
Howard	Simpson
Howington	Smith of Atascosa
Hoyo	Taylor
Hughes	Thornton
Humphrey	Turner
Hutchinson	Vale
Jones	Walters
Kennedy	White
Kinard	Winfree
Lehman	

## Nays—51

Alsup	Hardeman
Bailey	Hargis
Bell	Harris of Dallas
Blankenship	Harris of Hill
Bridgers	Helpinstill
Burnaman	Hileman
Carlton	Huddleston
Carrington	Kelly
Cato	Klingeman
Chambers	Knight
Coker	Lansberry
Connelly	Leyendecker
Crosthwait	Lucas
Davis	McGlasson
Deen	McNamara
Donald	Moore
Evans	Morris
Files	Murray
Fuchs	Rampy
Gandy	Reed of Dallas
Gilmer	Senterfitt
Hanna	Skiles

Smith of Bastrop	Wattner
Spacek	Weatherford
Stinson	Whitesides
Stubbs	

## Present—Not Voting

McMurry

## Absent

Benton	Phillips
Dickson of Bexar	Roark
Ellis	Sharpe
Huffman	Spangler
King	Stanford
Morgan	

## Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kersey
Brawner	Lyle
Bray	McCann
Bruhl	Manning
Craig	Mills
Dickson of Nolan	Nicholson
Eubank	Voigt

## MESSAGE FROM THE SENATE

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 82, Relative to State Health Funds for Texas.

Concurred in House amendments to Senate Bill No. 336 by the following vote: Viva voce.

Has tabled by a vote of 12 yeas and 11 nays, House Concurrent Resolution No. 262, Relative to sine die adjournment on July 18, 1941.

Adopted Conference Committee report on House Bill No. 1082 by the following vote: Yeas, 24; nays, 2.

Respectfully,

BOB BARKER,

Secretary of the Senate.

PROVIDING FOR CERTAIN  
RECESS AND SINE DIE  
ADJOURNMENT

Mr. Morse offered the following resolution:

H. C. R. No. 267, Providing for Certain Recess Period and Sine Die Adjournment.

Be it resolved by the House of Representatives, the Senate concurring, That on June 21st, 1941, the Legislature do recess during the period from that date until July 14th, 1941, at 10:00 a. m., when it shall again convene at the State Capitol;

Be it further resolved, That during said period of recess the Members of the Legislature shall draw no per diem for their services and that all employees of both branches of the Legislature be discharged from service and that the elective officers of the House and the Senate be allowed no salary during such recess except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain.

Be it further resolved, That the Regular Session of the 47th Legislature stand adjourned sine die on July 17th, 1941, at 12 noon.

The resolution was read second time.

Mr. Hughes moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—52

Avant	Huddleston
Bailey	Hughes
Baker	Humphrey
Burkett	Hutchinson
Chambers	Jones
Connelly	Kennedy
Daniel	Klingeman
Davis	Knight
Deen	Lock
Donald	Lowry
Duckett	Lucas
Favors	McLellan
Ferguson	Manford
Fitzgerald	Markle
Goodman	Matthews
Hanna	Pace
Harris of Dallas	Parker
Helpinstill	Pevehouse
Henderson	Price
Hileman	Rampy
Hobbs	Reed of Bowie
Howington	Ridgeway
Hoyo	Roberts

Sallas  
Senterfitt  
Simpson

Smith of Bastrop  
Spacek  
Stinson

Nays—63

Alsup	King
Bell	Lansberry
Blankenship	Lehman
Bridgers	Little
Brown	Love
Bullock	McAlister
Bundy	McDonald
Burnaman	McGlasson
Carlton	McNamara
Carrington	Martin
Cato	Montgomery
Celaya	Morris
Clark	Morse
Cleveland	Murray
Coker	Phillips
Colson, Mrs.	Reed of Dallas
Crossley	Rhodes
Crosthwait	Shell
Dove	Skiles
Dwyer	Smith of Atascosa
Ellis	Stanford
Files	Stubbs
Fuchs	Taylor
Garland	Turner
Gilmer	Vale
Hardeman	Walters
Hargis	Wattner
Harris of Hill	Weatherford
Hartzog	White
Howard	Whitesides
Kelly	Winfree
Kinard	

Present—Not Voting

McMurry

Absent

Benton	Morgan
Dickson of Bexar	Roark
Gandy	Sharpe
Huffman	Spangler
Leyendecker	Thornton
Moore	

Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kersey
Brawner	Lyle
Bray	McCann
Bruhl	Manning
Craig	Mills
Dickson of Nolan	Nicholson
Eubank	Voigt
Evans	

Question recurring on the resolution by Mr. Morse, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—67

Alsop	Kinard
Bell	King
Bridgers	Lansberry
Brown	Lehman
Bullock	Little
Bundy	Lock
Burkett	Love
Burnaman	McAlister
Carlton	McDonald
Carrington	McGlasson
Cato	McNamara
Celaya	Martin
Chambers	Montgomery
Clark	Morris
Cleveland	Morse
Coker	Murray
Colson, Mrs.	Phillips
Crossley	Reed of Dallas
Crosthwaite	Rhodes
Davis	Shell
Dove	Skiles
Ellis	Smith of Atascosa
Ferguson	Stanford
Files	Stubbs
Fuchs	Taylor
Garland	Turner
Gilmer	Vale
Hardeman	Walters
Hargis	Wattner
Harris of Hill	Weatherford
Hartzog	White
Howard	Whitesides
Howington	Winfree
Kelly	

## Nays—50

Avant	Hoyo
Bailey	Huddleston
Baker	Hughes
Blankenship	Humphrey
Connelly	Hutchinson
Daniel	Jones
Deen	Kennedy
Donald	Klingeman
Duckett	Knight
Dwyer	Lowry
Favors	Lucas
Fitzgerald	McLellan
Goodman	Manford
Hanna	Markle
Harris of Dallas	Matthews
Helpinstill	Moore
Henderson	Pace
Hileman	Parker
Hobbs	Pevehouse

Price	Senterfitt
Rampy	Simpson
Reed of Bowie	Smith of Bastrop
Ridgeway	Spacek
Roberts	Stinson
Sallas	Thornton

## Present—Not Voting

McMurry

## Absent

Benton	Morgan
Dickson of Bexar	Roark
Gandy	Sharpe
Huffman	Spangler
Leyendecker	

## Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kersey
Brawner	Lyle
Bray	McCann
Bruhl	Manning
Craig	Mills
Dickson of Nolan	Nicholson
Eubank	Voigt
Evans	

Mr. Taylor moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

## TO PROVIDE FOR CERTAIN RECESS PERIOD

Mr. Morse offered the following resolution:

H. C. R. No. 268, To Provide for Certain Recess Period.

Whereas, Neither House may adjourn or recess for a period of more than three (3) days without the permission of the other House; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That each House grant the other permission to recess or adjourn for a period of longer than three (3) days.

The resolution was read second time.

Mr. Morse offered the following amendment to the resolution:

Amend the resolution by adding the following:

"Provided neither House may ad-

journal or recess to a date beyond July 15, 1941."

The amendment was adopted.

Mr. Favors offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 268 so as to read sine die adjournment June 26 at 12 noon, 1941.

Mr. McAlister raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the resolution.

The Chair sustained the point of order.

Mr. Favors moved to table the resolution by Mr. Morse.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—70

Avant	Hughes
Bailey	Humphrey
Baker	Hutchinson
Blankenship	Jones
Bridgers	Kennedy
Bullock	Klingeman
Burkett	Knight
Chambers	Lehman
Connelly	Lowry
Crossley	Lucas
Daniel	McLellan
Deen	Manford
Donald	Markle
Dove	Matthews
Duckett	Montgomery
Dwyer	Murray
Favors	Pace
Fitzgerald	Parker
Fuchs	Pevehouse
Gandy	Price
Garland	Rampy
Goodman	Reed of Bowie
Hanna	Reed of Dallas
Hargis	Ridgeway
Harris of Dallas	Rhodes
Harris of Hill	Roberts
Helpinstill	Sallas
Hileman	Senterfitt
Hobbs	Simpson
Howard	Skiles
Howington	Smith of Bastrop
Hoyo	Spacek
Huddleston	Stinson

Walters  
Wattner

White  
Winfree

#### Nays—44

Alsup	Lansberry
Bell	Little
Brown	Lock
Bundy	Love
Burnaman	McAlister
Carlton	McDonald
Carrington	McGlasson
Cato	McNamara
Celaya	Martin
Clark	Moore
Cleveland	Morris
Coker	Morse
Crosthwait	Phillips
Davis	Shell
Ellis	Smith of Atascosa
Ferguson	Stanford
Files	Stubbs
Gilmer	Taylor
Hardeman	Turner
Hartzog	Vale
Henderson	Weatherford
King	Whitesides

#### Present—Not Voting

McMurry

#### Absent

Benton	Leyendecker
Colson, Mrs.	Morgan
Dickson of Bexar	Roark
Huffman	Sharpe
Kelly	Spangler
Kinard	Thornton

#### Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kersey
Brawner	Lyle
Bray	McCann
Bruhl	Manning
Craig	Mills
Dickson of Nolan	Nicholson
Eubank	Voigt
Evans	

#### AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 524

Mr. Lansberry offered the following resolution:

H. C. R. No. 269, Authorizing Certain Corrections in House Bill No. 524.

Whereas, House Bill No. 524

amending Article 3899 has passed the House and Senate; and

Whereas, A part of the original Statute was inadvertently omitted; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk be instructed to include the following language in Subsection b under Section 2 of said House Bill No. 524:

"Such purchases shall be made by each officer, when allowed, only by requisition in manner provided by the County Auditor, if any, otherwise by the Commissioners Court. Each officer, shall, at the close of each month of his tenure of office, make an itemized and sworn report of all approved expenses incurred by him and charged to his county, accompanying such report with invoices covering such purchases and requisitions issued by him in support of such report. If such expenses be incurred in connection with any particular case, such report shall name such case. Such report, invoices and requisitions shall be subject to the audit of the County Auditor, if any, otherwise by the Commissioners Court, and if it appears that any item was not incurred by such officer, or that such item was not a necessary or legal expense of such office, or purchased upon proper requisition, such item shall be by said County Auditor or court rejected, in which case the payment of such item may be adjudicated in any court of competent jurisdiction. All such approved claims and accounts shall be paid from the Officers' Salary Fund unless otherwise provided herein.

"The Commissioners Court of the county of the Sheriff's residence may, upon the written and sworn application of such officer, stating the necessity therefor, allow one or more automobiles to be used by the Sheriff in the discharge of official business, which, if purchased by the county shall be bought in the manner prescribed by law for the purchase of supplies and paid for out of the General Fund of the county and they shall be reported and paid in the same manner as herein provided for other expenses.

"Where the automobile or automobiles are owned by the Sheriff or his Deputies, they shall be allowed four (4¢) cents for each mile traveled in the discharge of official business,

which sum shall cover all expenses of the maintenance, depreciation and operation of such automobile. Such mileage shall be reported and paid in the same manner prescribed for other allowable expenses under the provisions of this section. No automobile shall be allowed for any Deputy Sheriff except those regularly employed in outside work. It shall be the duty of the County Auditor, if any, otherwise the Commissioners Court, to check the speedometer reading of each of said automobiles, owned by the county once each month and to keep a public record thereof; no automobile owned by the county shall be used for any private purpose."

The resolution was read second time and was adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 284, "An Act appropriating Seven Million, Three Hundred Eighty-three Thousand and Ninety-four Dollars (\$7,383,094) per year, or so much thereof as may be necessary, for the biennium beginning September 1, 1941, and ending August 31, 1943, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State; providing for the allotment and expenditure by the State Superintendent of Public Instruction of such funds under the direction and advice of a Joint Legislative Advisory Committee; providing for the transfer of unexpended balances for the year ending August 31, 1942, to the appropriation for the year ending August 31, 1943, etc.; and declaring an emergency."

H. B. No. 848, "An Act making appropriations to pay deficiency appropriations granted by the Governor prior to January 14, 1941, and for which no appropriations have heretofore been made; and declaring an emergency."

S. B. No. 423, "An Act making an appropriation for the support and maintenance of the executive and

administrative departments and agencies of the State Government."

S. B. No. 295, "An Act authorizing the Commissioners' Court in certain counties to pay out of the General Funds of such counties the premium on the surety bond required by law to be furnished by County Treasurers, etc.; and declaring an emergency."

S. B. No. 93, "An Act amending Section 1 of Senate Bill No. 135, Acts 1939, 46th Legislature, Chapter 6, so as to except therefrom associations not operated for profit, composed only of the members of a particular religious denomination which do not provide insurance benefits in excess of One Thousand (\$1,000.00) Dollars on any one person, etc.; and declaring an emergency."

H. B. No. 188, "An Act amending Article 198 of the Revised Civil Statutes of the State of Texas, as amended by Acts of the 46th Legislature, 1939, page 148, Section I, relating to, and designating the Supreme Judicial Districts of the State of Texas, by transferring Brown County from the Third Supreme Judicial District to the Eleventh Supreme Judicial District; providing that this Act shall not affect the jurisdiction of the Court of Civil Appeals for the Third Supreme Judicial District in cases appealed from Brown County, in which the transcript shall have been filed in said court prior to the date this Act takes effect."

H. B. No. 1084, "An Act to amend Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, as amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, so as to change Section 3 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors of the Lower Neches Valley Authority shall consist of nine instead of seven members, all of whom shall be freehold property tax payers and legal voters of the State of Texas, and providing that such nine directors shall be appointed by the State Board of Water Engineers, three members thereof to be appointed for a term of two years, three members thereof to be appointed for a term of four years and three members

thereof to be appointed for a term of six years."

S. B. No. 402, "An Act making appropriations for the support, maintenance and improvement of the Eleemosynary and Reformatory Institutions of the State of Texas for the two-year period beginning September 1, 1941, and ending August 31, 1943; and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations; and declaring an emergency."

#### RECESS

Mr. Manford moved that the House recess until 3:00 o'clock p. m., today.

Mr. Hanna moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Morris moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, it was lost.

Question next recurring on the motion to adjourn until 10:00 o'clock a. m., next Monday, yeas and nays were demanded.

The motion was lost by the following vote:

#### Yeas—29

Bailey	Lock
Carlton	Lowry
Coker	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Dwyer	Markle
Harris of Hill	Montgomery
Helpinstill	Morris
Henderson	Pace
Howard	Ridgeway
Hoyo	Smith of Bastrop
Hughes	Smith of Atascosa
Hutchinson	Vale
Jones	Weatherford
Kinard	

#### Nays—85

Alsup	Brown
Avant	Bullock
Baker	Bundy
Bell	Burkett
Blankenship	Burnaman
Bridgers	Carrington

Cato	Lansberry
Celaya	Lehman
Chambers	Little
Clark	Love
Cleveland	Lucas
Connelly	McNamara
Crossley	Manford
Davis	Martin
Deen	Matthews
Donald	Moore
Dove	Morse
Duckett	Murray
Evans	Parker
Ellis	Pevehouse
Favors	Phillips
Ferguson	Price
Files	Rampy
Fuchs	Reed of Bowie
Gandy	Reed of Dallas
Garland	Rhodes
Gilmer	Roberts
Goodman	Sallas
Hanna	Senterfitt
Hardeman	Shell
Hargis	Simpson
Harris of Dallas	Skiles
Hartzog	Spacek
Hileman	Stanford
Hobbs	Stinson
Howington	Stubbs
Huddleston	Turner
Humphrey	Walters
Kelly	Wattner
Kennedy	White
King	Whitesides
Klingeman	Winfree
Knight	

Present—Not Voting

McMurry

#### Absent

Benton	Morgan
Colson, Mrs.	Roark
Dickson of Bexar	Sharpe
Fitzgerald	Spangler
Huffman	Taylor
Leyendecker	Thornton
McAlister	

#### Absent—Excused

Allen	Halsey
Allison	Heflin
Bean	Isaacks
Boone	Kersey
Brawner	Lyle
Bray	McCann
Bruhl	Manning
Craig	Mills
Dickson of Nolan	Nicholson
Eubank	Voigt

Question then recurring on the motion to recess until 3:00 o'clock p. m., today, it prevailed, and the House accordingly, at 12:50 o'clock p. m., took recess until 3:00 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Speaker.

#### LEAVES OF ABSENCE GRANTED

Mr. Benton for this afternoon, on account of important business, on motion of Mr. Carrington.

Mr. Ridgeway and Mr. McGlasson for this afternoon, on account of important business, on motion of Mr. Brown.

Mr. Little for this afternoon, on account of important business, on motion of Mr. Morse.

Mr. Harris of Dallas for this afternoon, on account of important business, on motion of Mr. Lehman.

#### HOUSE BILL NO. 1092 ON SECOND READING

Mr. Stinson moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1092 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—100

Allison	Clark
Alsup	Coker
Avant	Colson, Mrs.
Bailey	Connelly
Baker	Crossley
Bell	Deen
Blankenship	Dwyer
Bridgers	Ellis
Brown	Favors
Bullock	Ferguson
Bundy	Fitzgerald
Burkett	Fuchs
Burnaman	Garland
Carlton	Gilmer
Carrington	Goodman
Cato	Hardeman
Celaya	Hargis
Chambers	Harris of Dallas



Harris of Hill	Moore
Hartzog	Morris
Helpinstill	Morse
Henderson	Murray
Hileman	Pace
Hobbs	Parker
Howard	Phillips
Howington	Price
Huddleston	Rampy
Hughes	Reed of Bowie
Humphrey	Reed of Dallas
Hutchinson	Rhodes
Jones	Roark
Kelly	Roberts
King	Senterfitt
Klingeman	Shell
Knight	Simpson
Lansberry	Skiles
Lehman	Smith of Atascosa
Lock	Stanford
Love	Stinson
Lowry	Taylor
Lucas	Thornton
McDonald	Turner
McLellan	Vale
McMurry	Voigt
McNamara	Walters
Manford	Wattner
Markle	Weatherford
Martin	White
Matthews	Whitesides
Montgomery	Winfree

## Absent

Cleveland	Huffman
Crosthwait	Leyendecker
Daniel	McAlister
Davis	Morgan
Dickson of Bexar	Pevehouse
Donald	Sallas
Dove	Sharpe
Duckett	Smith of Bastrop
Files	Spacek
Gandy	Spangler
Hanna	Stubbs
Hoyo	

## Absent—Excused

Allen	Isaacks
Bean	Kennedy
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway
Heflin	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1092, A bill to be entitled "An Act authorizing the annexation of streets, highways, and alleys by the governing bodies of certain cities and towns; prescribing the method for such annexation; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1092 ON  
THIRD READING

The Speaker then laid House Bill No. 1092 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—100

Allison	Helpinstill
Alsop	Henderson
Avant	Hileman
Bailey	Hobbs
Baker	Howard
Bell	Howington
Blankenship	Huddleston
Bridgers	Hughes
Brown	Humphrey
Bullock	Hutchinson
Bundy	Jones
Burkett	Kelly
Burnaman	King
Carlton	Klingeman
Carrington	Knight
Cato	Lansberry
Celaya	Lehman
Chambers	Lock
Clark	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	McDonald
Crossley	McLellan
Deen	McMurry
Dwyer	McNamara
Ellis	Manford
Favors	Markle
Ferguson	Martin
Fitzgerald	Matthews
Fuchs	Montgomery
Garland	Moore
Gilmer	Morris
Goodman	Morse
Hardeman	Murray
Hargis	Pace
Harris of Dallas	Parker
Harris of Hill	Phillips
Hartzog	Price
	Rampy

Reed of Bowie	Taylor
Reed of Dallas	Thornton
Rhodes	Turner
Roark	Vale
Roberts	Voigt
Senterfitt	Walters
Shell	Wattner
Simpson	Weatherford
Skiles	White
Smith of Atascosa	Whitesides
Stanford	Winfree
Stinson	

**Absent**

Cleveland	Huffman
Crosthwait	Leyendecker
Daniel	McAlister
Davis	Morgan
Dickson of Bexar	Pevehouse
Donald	Sallas
Dove	Sharpe
Duckett	Smith of Bastrop
Files	Spacek
Gandy	Spangler
Hanna	Stubbs
Hoyo	

**Absent—Excused**

Allen	Isaacks
Bean	Kennedy
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway
Heflin	

**MESSAGE FROM THE SENATE**

Austin, Texas, June 20, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 268, A bill to be entitled "An Act providing for establishment of a State Cancer Hospital and the Division of Research, etc.; and declaring an emergency." (With amendments.)

Failed to adopt

H. C. R. No. 267, Providing for recess to July 14 and to adjourn sine die on July 17, 1941, by a vote of: Yeas, 11; nays, 12.

**Adopted**

S. C. R. No. 83, Providing for sine die adjournment on June 25, 1941, at 12 o'clock noon.

Respectfully,

**BOB BARKER,**

Secretary of the Senate.

Mr. Manford moved a call of the House, for the purpose of maintaining a quorum until 4:00 o'clock p. m., today, and the call was not seconded.

Mr. Morris moved that the House adjourn until 10:00 o'clock a. m., next Tuesday.

Mr. McMurtry raised a point of order on further consideration of the motion at this time, on the ground that the motion requires consent of both Houses.

The Speaker sustained the point of order.

Mr. Cato moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Mr. Reed of Dallas moved that the House adjourn until 5:00 o'clock p. m., next Monday.

Mr. Love moved that the House adjourn until 10:00 o'clock a. m., next Tuesday, June 24.

Mr. Fitzgerald raised a point of order on further consideration of the motion by Mr. Love at this time, on the ground that the motion is out of order, in that it requires a concurrent resolution.

The Speaker sustained the point of order.

Question first recurring on the motion to adjourn until 10:00 a. m., next Monday, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—29

Avant	Ferguson
Baker	Files
Bundy	Hanna
Carrington	Hileman
Cleveland	Huddleston
Connelly	Hughes
Ellis	Hutchinson

Jones  
Kelly  
Klingeman  
Lansberry  
Lock  
McLellan  
Martin  
Moore

Morse  
Pace  
Rhodes  
Skiles  
Stanford  
Thornton  
Walters

## Nays—75

Alsup  
Bailey  
Bell  
Blankenship  
Bridgers  
Brown  
Bullock  
Burkett  
Burnaman  
Carlton  
Cato  
Chambers  
Clark  
Coker  
Daniel  
Deen  
Donald  
Dove  
Duckett  
Dwyer  
Favors  
Fitzgerald  
Fuchs  
Garland  
Gilmer  
Goodman  
Hardeman  
Hargis  
Harris of Hill  
Helpinstill  
Henderson  
Hobbs  
Howington  
Hoyo  
Humphrey  
Kennedy  
King  
Knight

Lehman  
Leyendecker  
Love  
Lowry  
Lucas  
McDonald  
McMurry  
McNamara  
Manford  
Markle  
Matthews  
Montgomery  
Morris  
Murray  
Parker  
Phillips  
Price  
Rampy  
Reed of Bowie  
Reed of Dallas  
Roark  
Roberts  
Senterfitt  
Shell  
Simpson  
Smith of Atascosa  
Spacek  
Spangler  
Stinson  
Stubbs  
Taylor  
Turner  
Vale  
Wattner  
White  
Whitesides  
Winfree

## Absent

Celaya  
Colson, Mrs.  
Crossley  
Crosthwait  
Davis  
Dickson of Bexar  
Gandy  
Hartzog  
Howard

Huffman  
McAlister  
Morgan  
Pevehouse  
Sallas  
Sharpe  
Smith of Bastrop  
Voigt  
Weatherford

## Absent—Excused

Allen

Allison

Bean  
Benton  
Boone  
Brawner  
Bray  
Bruhl  
Craig  
Dickson of Nolan  
Eubank  
Evans  
Halsey  
Harris of Dallas

Heflin  
Isaacks  
Kersey  
Kinard  
Little  
Lyle  
McCann  
McGlasson  
Manning  
Mills  
Nicholson  
Ridgeway

Question next recurring on the motion to adjourn until 5:00 o'clock p. m., next Monday, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—49

Alsup	Lock
Avant	Love
Bailey	McDonald
Bell	McNamara
Blankenship	Martin
Bullock	Montgomery
Burnaman	Morris
Carlton	Murray
Clark	Pace
Cleveland	Phillips
Colson, Mrs.	Rampy
Dove	Reed of Dallas
Dwyer	Rhodes
Ellis	Roark
Ferguson	Roberts
Garland	Skiles
Gilmer	Smith of Atascosa
Halsey	Spangler
Hardeman	Stinson
Henderson	Taylor
Howington	Vale
Hoyo	Voigt
Hutchinson	White
Jones	Winfree
Knight	

## Nays—55

Allison	Daniel
Baker	Deen
Brown	Duckett
Bundy	Favors
Burkett	Files
Carrington	Fitzgerald
Cato	Fuchs
Chambers	Goodman
Coker	Hanna
Connelly	Hargis

Harris of Hill	Matthews
Helpinstill	Moore
Hileman	Morse
Huddleston	Parker
Hughes	Price
Humphrey	Reed of Bowie
Kelly	Senterfitt
Kennedy	Shell
King	Simpson
Klingeman	Spacek
Lansberry	Stanford
Lehman	Stubbs
Leyendecker	Thornton
Lowry	Turner
Lucas	Walters
McMurry	Wattner
Manford	Whitesides
Markle	

**Absent**

Bridgers	Howard
Celaya	Huffman
Crossley	McAlister
Crothwait	McLellan
Davis	Morgan
Dickson of Bexar	Pevehouse
Donald	Sallas
Gandy	Sharpe
Hartzog	Smith of Bastrop
Hobbs	Weatherford

**Absent—Excused**

Allen	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Harris of Dallas	Ridgeway

**RELATIVE TO SUSPENSION DAY**

Mr. McLellan offered the following resolution:

H. S. R. No. 354, Relative to suspension day.

Whereas, Due to the fact that the Legislature will probably wind up its business within a few days and recess or adjourn

Whereas, Many Members of the House of Representatives now have House Bills that they are greatly interested in

And be it further resolved, That the House of Representatives sus-

pend all Rules necessary to cause Tuesday, June 24th to be and

Therefore be it resolved, That the same is hereby declared House Suspension day.

The resolution was read second time and was adopted by the following vote:

**Yeas—71**

Avant	Humphrey
Bell	Hutchinson
Bridgers	Kelly
Brown	Klingeman
Bullock	Lansberry
Bundy	Lehman
Burnaman	Leyendecker
Carlton	Lock
Carrington	Love
Cato	Lowry
Celaya	Lucas
Chambers	McDonald
Clark	McLellan
Coker	McMurry
Colson, Mrs.	Manford
Connelly	Martin
Daniel	Matthews
Deen	Morse
Donald	Pace
Dove	Phillips
Duckett	Rampy
Dwyer	Reed of Bowie
Ellis	Reed of Dallas
Favors	Roberts
Files	Shell
Gandy	Simpson
Garland	Spacek
Hargis	Stanford
Harris of Hill	Taylor
Hartzog	Thornton
Henderson	Turner
Hileman	Voigt
Hobbs	White
Hoyo	Whitesides
Huddleston	Winfree
Hughes	

**Nays—30**

Alsup	Hardeman
Bailey	Howington
Baker	Jones
Blankenship	Kennedy
Burkett	King
Cleveland	Knight
Crossley	Markle
Crothwait	Montgomery
Ferguson	Morris
Fitzgerald	Murray
Gilmer	Parker
Goodman	Price
Hanna	Senterfitt

Skiles  
Stinson  
Stubbs

Walters  
Wattner

## Absent

Davis	Pevehouse
Dickson of Bexar	Rhodes
Fuchs	Roark
Helpinstill	Sallas
Howard	Sharpe
Huffman	Smith of Bastrop
McAlister	Smith of Atascosa
McNamara	Spangler
Moore	Vale
Morgan	Weatherford

## Absent—Excused

Allen	Harris of Dallas
Allison	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway

(Mr. Daniel in the Chair.)

TO PROVIDE FOR CERTAIN  
RECESS AND SINE DIE  
ADJOURNMENT

Mr. Morse offered the following resolution:

H. C. R. No. 270, To provide for certain Recess and Sine Die Adjournment.

Be it resolved by the House of Representatives, the Senate concurring, That on June 25, 1941, the Legislature do recess during the period from that date until July 15th, 1941, at 10:00 a. m., when it shall again convene at the State Capitol;

Be it further resolved, That during said period of recess the Members of the Legislature shall draw no per diem for their services and that all employees of both branches of the Legislature be discharged from service and that the elective officers of the House and the Senate be allowed no salary during such recess except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain;

Be it further resolved, That the Regular Session of the 47th Legislature stand adjourned sine die on July 18th, 1941, at 12 noon.

The resolution was read second time.

Mr. McMurry moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—58

Avant	Hughes
Bailey	Humphrey
Baker	Hutchinson
Blankenship	Kennedy
Bridgers	Klingeman
Burkett	Knight
Chambers	Lowry
Coker	Lucas
Connelly	McLellan
Crossley	McMurry
Daniel	Manford
Davis	Markle
Deen	Matthews
Donald	Pace
Dove	Parker
Duckett	Price
Dwyer	Rampy
Favors	Reed of Bowie
Fitzgerald	Roark
Gandy	Roberts
Goodman	Senterfitt
Hanna	Simpson
Helpinstill	Spacek
Henderson	Stinson
Hileman	Stubbs
Hobbs	Thornton
Howington	Voigt
Hoyo	Walters
Huddleston	Wattner

## Nays—48

Alsup	Ferguson
Bell	Files
Brown	Fuchs
Bullock	Garland
Bundy	Gilmer
Burnaman	Hardeman
Carlton	Hargis
Carrington	Harris of Hill
Cato	Hartzog
Celaya	Kelly
Colson, Mrs.	King
Crothwait	Lansberry
Ellis	Lehman

Leyendecker	Reed of Dallas
Lock	Shell
Love	Skiles
McDonald	Smith of Atascosa
McNamara	Stanford
Martin	Taylor
Montgomery	Turner
Morris	Weatherford
Morse	White
Murray	Whitesides
Phillips	Winfree

**Absent**

Clark	Morgan
Cleveland	Pevehouse
Dickson of Bexar	Rhodes
Howard	Sallas
Huffman	Sharpe
Jones	Smith of Bastrop
McAlister	Spangler
Moore	Vale

**Absent—Excused**

Allen	Harris of Dallas
Allison	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway

A verification of the above vote was requested.

Mr. Coker moved to dispense with the verification.

The motion prevailed.

Mr. Morris moved to suspend the necessary Rules in order that a motion may be made to reconsider the vote by which House Concurrent Resolution No. 270 was tabled.

Mr. Klingeman moved a call of the House for the purpose of maintaining a quorum until the pending motions are disposed of, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows:

**Yeas—34**

Baker	Humphrey
Blankenship	Hutchinson
Brown	Klingeman
Bullock	Lansberry
Cato	Lehman
Connelly	Lowry
Deen	Lucas
Dove	McLellan
Duckett	Manford
Favors	Markle
Fitzgerald	Matthews
Fuchs	Parker
Hanna	Reed of Bowie
Hardeman	Roberts
Helpinstill	Spacek
Hileman	Stinson
Hobbs	Wattner

**Nays—59**

Alsup	Kennedy
Avant	King
Bailey	Knight
Bell	Leyendecker
Bridgers	Lock
Burkett	Love
Burnaman	McDonald
Carlton	McMurry
Carrington	Martin
Celaya	Montgomery
Chambers	Morse
Coker	Murray
Colson, Mrs.	Pace
Crossley	Price
Crosthwait	Rampy
Davis	Reed of Dallas
Dwyer	Roark
Ferguson	Senterfitt
Gandy	Shell
Garland	Simpson
Goodman	Stanford
Hargis	Stubbs
Harris of Hill	Thornton
Henderson	Turner
Howington	Walters
Hoyo	Weatherford
Huddleston	White
Hughes	Whitesides
Jones	Winfree
Kelly	

**Absent**

Bundy	Howard
Clark	Huffman
Cleveland	McAlister
Dickson of Bexar	McNamara
Donald	Moore
Ellis	Morgan
Files	Morris
Gilmer	Pevehouse
Hartzog	Phillips

Rhodes	Smith of Atascosa
Sallas	Spangler
Sharpe	Taylor
Skiles	Vale
Smith of Bastrop	Voigt

## Absent—Excused

Allen	Harris of Dallas
Allison	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway

The point of order was raised that there was not a quorum voting.

The Chair sustained the point of order.

Mr. Morse moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

## Yeas—24

Avant	Huddleston
Bridgers	Jones
Brown	Kelly
Bundy	Leyendecker
Carlton	Lock
Carrington	McDonald
Celaya	McLellan
Deen	Morse
Ellis	Price
Ferguson	Reed of Bowie
Helpinstill	Reed of Dallas
Howington	Stanford

## Nays—74

Alsup	Coker
Bailey	Colson, Mrs.
Baker	Connelly
Blankenship	Crossley
Bullock	Crosthwait
Burkett	Daniel
Burnaman	Davis
Cato	Donald
Chambers	Dove

Duckett	Lowry
Dwyer	Lucas
Favors	McMurry
Fitzgerald	Manford
Fuchs	Markle
Gandy	Martin
Garland	Matthews
Gilmer	Montgomery
Goodman	Murray
Hanna	Pace
Hardeman	Parker
Hargis	Rampy
Harris of Hill	Roark
Hartzog	Roberts
Henderson	Senterfitt
Hileman	Shell
Hobbs	Simpson
Hoyo	Spacek
Hughes	Stinson
Humphrey	Stubbs
Hutchinson	Taylor
Kennedy	Turner
King	Walters
Klingeman	Wattner
Knight	Weatherford
Lansberry	White
Lehman	Whitesides
Love	Winfree

## Present—Not Voting

Voigt

## Absent

Bell	Pevehouse
Clark	Phillips
Cleveland	Rhodes
Dickson of Bexar	Sallas
Files	Sharpe
Howard	Skiles
Huffman	Smith of Bastrop
McAlister	Smith of Atascosa
McNamara	Spangler
Moore	Thornton
Morgan	Vale
Morris	

## Absent—Excused

Allen	Harris of Dallas
Allison	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway

Mr. Hileman moved a call of the House for the purpose of securing a quorum, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—59

Avant	King
Bailey	Klingeman
Baker	Knight
Blankenship	Lehman
Bullock	Lowry
Chambers	Lucas
Connelly	McLellan
Crossley	Manford
Daniel	Markle
Deen	Martin
Dove	Matthews
Duckett	Montgomery
Dwyer	Murray
Favors	Pace
Fitzgerald	Parker
Fuchs	Price
Garland	Rampy
Goodman	Reed of Bowie
Hanna	Roberts
Hardeman	Simpson
Harris of Hill	Spacek
Helpinstill	Stinson
Hileman	Stubbs
Hobbs	Thornton
Howington	Turner
Hoyo	Voigt
Huddleston	Wattner
Humphrey	Whitesides
Hutchinson	Winfree
Kennedy	

## Nays—36

Alsup	Hughes
Bell	Jones
Bridgers	Kelly
Burnaman	Lansberry
Carlton	Leyendecker
Carrington	Lock
Cato	Love
Celaya	McDonald
Clark	McMurry
Coker	Morse
Colson, Mrs.	Reed of Dallas
Crosthwait	Roark
Davis	Senterfitt
Ferguson	Stanford
Gilmer	Taylor
Hargis	Walters
Hartzog	Weatherford
Henderson	White

## Absent

Brown	Morgan
Bundy	Morris
Burkett	Pevehouse
Cleveland	Phillips
Dickson of Bexar	Rhodes
Donald	Sallas
Ellis	Sharpe
Files	Shell
Gandy	Skiles
Howard	Smith of Bastrop
Huffman	Smith of Atascosa
McAlister	Spangler
McNamara	Vale
Moore	

## Absent—Excused

Allen	Harris of Dallas
Allison	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway

Mr. Hanna moved that the Sergeant at Arms be instructed to bring in all absent Members within the city who are not ill or otherwise excused.

The motion prevailed.

The roll of the House was called and the following Members were present:

Mr. Speaker	Coker
Alsup	Colson, Mrs.
Avant	Connelly
Bailey	Crossley
Baker	Crosthwait
Bell	Daniel
Bridgers	Davis
Brown	Deen
Bullock	Donald
Bundy	Dove
Burkett	Duckett
Carlton	Dwyer
Carrington	Favors
Cato	Ferguson
Celaya	Fitzgerald
Chambers	Fuchs
Clark	Gandy
Cleveland	Garland



Gilmer	Martin
Goodman	Matthews
Hanna	Montgomery
Hardeman	Moore
Hargis	Morris
Harris of Hill	Morse
Hartzog	Murray
Helpinstill	Pace
Henderson	Parker
Hileman	Phillips
Hobbs	Price
Howington	Rampy
Hoyo	Reed of Bowie
Huddleston	Reed of Dallas
Hughes	Roark
Humphrey	Roberts
Hutchinson	Senterfitt
Jones	Shell
Kelly	Simpson
Kennedy	Skiles
King	Smith of Atascosa
Klingeman	Spacek
Knight	Stanford
Lansberry	Stinson
Lehman	Stubbs
Leyendecker	Taylor
Lock	Thornton
Love	Turner
Lowry	Voigt
Lucas	Walters
McDonald	Wattner
McLellan	Weatherford
McMurry	White
Manford	Whitesides
Markle	Winfree

## Absent

Blankenship	Morgan
Burnaman	Pevehouse
Dickson of Bexar	Rhodes
Ellis	Sallas
Files	Sharpe
Howard	Smith of Bastrop
Huffman	Spangler
McAlister	Vale
McNamara	

## Absent—Excused

Allen	Harris of Dallas
Allison	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway

A quorum was announced present.

The pending motion by Mr. Morris was withdrawn.

Mr. Hanna moved a call of the House for the purpose of maintaining a quorum until Senate Concurrent Resolution No. 83 is disposed of and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

## ADJOURNMENT

Mr. Morse moved that the House adjourn until 4:30 o'clock p. m. next Monday.

Mr. Davis moved that the House adjourn until 10:00 o'clock a. m. next Monday.

Question recurring on the motion to adjourn until 10:00 o'clock a. m. next Monday, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—36

Alsup	Hargis
Bailey	Henderson
Bell	Hughes
Bridgers	Jones
Bullock	Kelly
Cato	Lansberry
Celaya	Leyendecker
Clark	Lock
Cleveland	Love
Coker	McDonald
Colson, Mrs.	McLellan
Crosthwait	Markle
Davis	Martin
Deen	Senterfitt
Ferguson	Thornton
Fitzgerald	Walters
Gandy	Wattner
Gilmer	Weatherford

## Nays—63

Avant	Duckett
Baker	Dwyer
Blankenship	Favors
Brown	Fuchs
Bundy	Garland
Burkett	Goodman
Carlton	Hanna
Carrington	Hardeman
Chambers	Harris of Hill
Connelly	Hartzog
Daniel	Helpinstill
Dove	Hileman

Hobbs	Pace
Howington	Parker
Hoyo	Price
Huddleston	Rampy
Humphrey	Reed of Bowie
Hutchinson	Reed of Dallas
Kennedy	Roark
King	Roberts
Klingeman	Sallas
Knight	Simpson
Lehman	Spacek
Lowry	Stanford
Lucas	Stinson
McMurry	Stubbs
Manford	Taylor
Matthews	Turner
Montgomery	White
Moore	Whitesides
Morse	Winfree
Murray	

## Absent

Burnaman	Pevehouse
Crossley	Phillips
Dickson of Bexar	Rhodes
Donald	Sharpe
Ellis	Shell
Files	Skiles
Howard	Smith of Bastrop
Huffman	Smith of Atascosa
McAlister	Spangler
McNamara	Vale
Morgan	Voigt
Morris	

## Absent—Excused

Allen	Harris of Dallas
Allison	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway

Question next recurring on the motion to adjourn until 4:30 o'clock p. m. next Monday, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—53

Alsup	Brown
Bailey	Bullock
Bell	Carlton
Bridgers	Carrington

Cato	Leyendecker
Celaya	Lock
Clark	Love
Cleveland	McDonald
Coker	McLellan
Colson, Mrs.	Martin
Crosthwait	Montgomery
Davis	Morris
Deen	Morse
Dove	Murray
Dwyer	Reed of Dallas
Ferguson	Roark
Garland	Roberts
Gilmer	Shell
Hargis	Stanford
Hartzog	Taylor
Henderson	Turner
Hobbs	Walters
Howington	Wattner
Hughes	Weatherford
Jones	White
Kelly	Winfree
Lansberry	

## Nays—47

Avant	King
Baker	Klingeman
Blankenship	Knight
Bundy	Lehman
Burkett	Lowry
Chambers	Lucas
Connelly	McMurry
Daniel	Manford
Duckett	Markle
Favors	Matthews
Fitzgerald	Moore
Fuchs	Pace
Gandy	Parker
Goodman	Price
Hanna	Rampy
Hardeman	Reed of Bowie
Harris of Hill	Senterfitt
Helpinstill	Simpson
Hileman	Spacek
Hoyo	Stinson
Huddleston	Stubbs
Humphrey	Thornton
Hutchinson	Whitesides
Kennedy	

## Present—Not Voting

McNamara	Phillips
----------	----------

## Absent

Burnaman	McAlister
Crossley	Morgan
Dickson of Bexar	Pevehouse
Donald	Rhodes
Ellis	Sallas
Files	Sharpe
Howard	Skiles
Huffman	Smith of Bastrop

Smith of Atascosa Vale  
Spangler Voigt

Absent—Excused

Allen	Harris of Dallas
Allison	Heflin
Bean	Isaacks
Benton	Kersey
Boone	Kinard
Brawner	Little
Bray	Lyle
Bruhl	McCann
Craig	McGlasson
Dickson of Nolan	Manning
Eubank	Mills
Evans	Nicholson
Halsey	Ridgeway

The House accordingly, at 4:30 o'clock p. m., adjourned until 4:30 o'clock p. m. next Monday, June 23.

## APPENDIX

### STANDING COMMITTEE REPORTS

The Committee on Military Affairs filed a favorable report on House Bill No. 1092 and Senate Bill No. 501.

The Committee on State Affairs filed a favorable report on House Bill No. 324.

### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 266, Inviting Hon. Sam Rayburn to address a Joint Session of the Legislature.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 267, Providing for recess on June 21 to July 14 and for sine die adjournment on July 17th.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1092, A bill to be entitled "An Act authorizing the annexation of streets, highways, and alleys by the governing bodies of certain cities and towns; prescribing the method for such annexation; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 269, Instructing the Enrolling Clerk to make certain corrections in House Bill No. 524.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1087, A bill to be entitled "An Act to amend House Bill No. 930 of the Forty-seventh Legislature by adding thereto a new section to follow Section 1 thereof, and to be known as Section 1a, to provide that any unexpended balance in the sums of money appropriated to the Adjutant General's Department in House Bill No. 930, for the purposes stated, on hand August 31, 1941, are appropriated to the Adjutant General's Department for the purposes stated in House Bill No. 930 for the two-year period beginning September 1, 1941, and ending August 31, 1943; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 247, Granting H. S. Middlemiss permission to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 188, "An Act amending Article 198 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of the Forty-sixth Legislature, 1939, page 148, Section 1, relating to and designating the Supreme Judicial Districts of the State of Texas, by transferring Coleman County from the Third Supreme Judicial District to the Eleventh Supreme Judicial District; providing that this Act shall not affect the jurisdiction of the Court of Civil Appeals for the Third Supreme Judicial District in cases appealed from Coleman County, in which the transcript shall have been filed in said Court prior to the date this Act takes effect; provided that in all cases from Coleman County in which appeal or writ of error has been perfected, but the transcript not filed in the Court of Civil Appeals for the Third Supreme Judicial District prior to the effective date of this Act, the record of such case or cases shall be filed in the Court of Civil Appeals for the Eleventh Supreme Judicial District of Texas, which shall have jurisdiction; provided further, that in any case from a trial Court in Coleman County, in which appeal or writ of error may be perfected after the passage of this Act, but before its effective date, if the transcript be filed in the Court of Civil Appeals for either the Third or the Eleventh

Supreme Judicial District of Texas within the time otherwise provided by law, such appeal shall not be dismissed for failure to file the transcript in the proper Court, but if filed in the wrong Court, the Clerk thereof shall transmit the record, together with a transcript of any orders made in the case, to the proper Court having jurisdiction; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 255, Suspending Joint Rules so that the House may take up and consider House Bill No. 161 on Thursday, June 19th.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 272, "An Act fixing appropriations for educational institutions of higher learning, and declaring the policy thereof; prescribing certain rules and regulations to be followed in determining said appropriations; requiring audits, making appropriations for the support, maintenance, building, and improvements of the several State institutions of higher learning for the two fiscal years, beginning September 1, 1941, and ending August 31, 1943, both dates inclusive; and for certain other educational agencies of the State; prescribing certain restrictions concerning the expenditures of said appropriations; containing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 284, "An Act providing for a more efficient Public School System in Texas; making an appropriation of Eight Million, Four Hundred Forty-four Thousand, One Hundred and Ninety Dollars (\$8,444,190) for each year of the biennium, ending August 31, 1943; allocating the funds so appropriated; providing for the administration thereof by the State Superintendent of Public Instruction, the Department of Education, Director of Equalization; creating a Joint Legislative Advisory Committee; defining its powers and duties and giving it supervisory powers for the administration of said appropriation and allocations; defining what schools and school districts may receive aid with certain exceptions thereto; providing for a system of transporting scholastics to and from schools under certain conditions and limitations with reasonable exceptions thereto; providing for the method and manner of paying therefor; providing for the payment of High School tuition and designating who and what schools may receive same with certain exceptions and limitations; providing for budgets to determine eligibility on a basis of need with certain limitations, restrictions and exceptions; providing for duties of County Board of Trustees, County Superintendents, Boards of Trustees and other school officials in regard to the administration of this Act; requiring certain reports from such persons and boards; providing for the making of applications for tuition, transportation and salary aid on the basis of budgetary need therefor with certain exceptions and restrictions; providing for a place and time of filing such applications on the part of all school districts and school employees; providing for a penalty for failure to file such applications within a time required by this Act; providing for a system of contract schools as same applies for the school year ending August 31, 1942, and a different system of contract schools for the school years

thereafter; providing for a method of contracting such schools; providing for penalties for the violation of this Act; prohibiting the use of the moneys herein appropriated for any purposes other than same was appropriated, allocated or distributed; providing for the length of term of certain schools; providing the method and manner of paying teachers on a salary schedule under this Act; giving the Joint Legislative Advisory Committee certain appellate powers and authorizing said Committee to employ certain persons to aid it in carrying out its duties; making certain allocations for the payment thereof; requiring said Committee to make certain investigations for recommendations to the Legislature; repealing all laws and parts of laws in conflict with this Act; providing for a severance clause if any part of this Act be declared unconstitutional; providing for the duties of the State Board of Education in the event said Joint Legislative Advisory Committee becomes inoperative for any purpose; providing for an effective date of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 376, "An Act making appropriation of certain sums of money, or so much thereof as may be necessary, out of the General revenue Fund to pay taxes due by the State to a certain independent school district; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 414, "An Act amending Chapter 58, Section 1, of the Acts

of the Forty-second Legislature, Regular Session, as amended by Chapter 97, of the Acts of the Forty-third Legislature, Regular Session; defining certain terms; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 570, "An Act appropriating for the fiscal year 1940-41 all moneys accruing to the Highway Light Test Fund in accordance with existing law; and appropriating the sum of Four Hundred Dollars (\$400) from the State Highway Fund for the year 1940-41 to the credit of the Highway Light Test Fund to be used for the purposes described by and in accordance with existing law; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 670, "An Act to establish and maintain an Agricultural Experiment Station for the development of dairy, poultry, and truck crops in the First Senatorial District of Texas, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station and empowering said Board of Directors to establish and maintain the same; to accept donations of land, water and money for establishing said station and for the operation of same; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 678, "An Act requiring the Comptroller of Public Accounts to collect all State occupation taxes levied by Article 7047, Revised Civil Statutes of Texas of 1925, and House Bill No. 514, Acts of 1931, Forty-second Legislature, page 447, Chapter 267, and House Bill No. 20, Acts of 1927, Fortieth Legislature, page 324, Chapter 220; authorizing Comptroller of Public Accounts to make and publish rules and regulations; providing civil penalties for violation of such rules and regulations; fixing venue for civil proceedings; fixing venue of prosecution for violation of the Act; providing that claim for occupation taxes, certified to by Comptroller or his chief clerk, shall be prima facie evidence of the contents thereof; repealing all laws or parts of laws in conflict therewith; providing that passage of the Act shall not affect offenses committed or prosecutions begun under pre-existing law; providing that all occupation taxes, penalties, and interest accruing to the State of Texas by virtue of any re-enacted or repealed provision as set out in the Act shall be an obligation to the State of Texas; providing that if any portion of this Act is held invalid or unconstitutional, such decision shall not affect the remaining portions of the Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 739, "An Act authorizing and directing the Attorney General of Texas to make such investigation and to institute and prosecute such legal proceedings or suits, or take such other action as he deems proper to protect the interest of the State of Texas in and to the waters of the Pecos River and to compel the State of New Mexico to comply with the terms of the agreement hereinafter set out; providing for the appointment of a member of the State

Board of Water Engineers as Compact Commissioner, upon request of the Attorney General, to negotiate an agreement with representatives of the State of New Mexico and the United States of America concerning the storage, division, and use of the waters of the Pecos River in New Mexico and Texas; providing that member of the State Board of Water Engineers appointed Compact Commissioner shall serve without additional salary; prescribing the authority and duties of such Compact Commissioner; prescribing the method of reaching such agreement and having the same agreed to and ratified by the State Legislature and approved by the Governor, and by the State of New Mexico and the Congress of the United States of America; making an appropriation to carry out the purpose of this Act; providing the Act shall not repeal Chapter 188, Acts of the Regular Session of the Forty-second Legislature, but is cumulative thereof; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 740, "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas, in the sum of One Thousand, One Hundred and Sixty-seven Dollars and Eighteen Cents (\$1,167.18), not otherwise appropriated, to cover taxes due by the State of Texas to Walker County, covering the years 1932, 1939, and 1940, inclusive; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 845, "An Act to amend

Article 2465, Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-first Legislature, Regular Session, 1929, Chapter 17, page 46, Section 1, as amended by Acts of the Forty-first Legislature, Second Called Session, page 168, Chapter 85, Section 1, providing for books and records to be kept by credit unions, for supervision and examination of credit unions by some competent person or persons designated by the Banking Commissioner, by one or more Credit Union examiners appointed by the Banking Commissioner, or by certain employees of the Banking Department; and providing for salaries and expense accounts for such person or persons; fixing maximum fees to be charged for such services and a method for handling such moneys collected from the Credit Unions; providing after September 1, 1943, the number of employees and the salaries of each shall be as fixed in the biennial Departmental Appropriation Bill; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 848, "An Act making appropriations to pay deficiency appropriations granted by the Governor prior to January 1, 1941, and for which no appropriations have heretofore been made; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1081, "An Act to prohibit the use of a seine or net for taking fish in Brown County except a minnow seine not more than twenty (20) feet in length when used for the purpose of taking minnows for bait; prohibiting the use of a seine

or net for any purpose in the waters of Lake Brownwood; providing a penalty; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1084, "An Act to amend Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, as amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, so as to change Section 3 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors of the Lower Neches Valley Authority shall consist of nine (9) instead of seven (7) members, all of whom shall be freehold property taxpayers and legal voters of the State of Texas, and providing that such nine (9) directors shall be appointed by the State Board of Water Engineers, three (3) members thereof to be appointed for a term of two (2) years, three (3) members thereof to be appointed for a term of four (4) years, and three (3) members thereof to be appointed for a term of six (6) years; and to change Section 4 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors shall organize by electing one of its members president, one vice president, one treasurer, and one secretary, and providing that five (5) directors shall constitute a quorum at any meeting, and a concurrence of a majority of those present shall be sufficient in all matters pertaining to the business of the district except the letting of construction contracts and the authorization of issuance of warrants paying therefor, which shall require the concurrence of seven (7) directors; and to change Section 16 of said Chapter 63 so that in addition to its other provisions, it will hereafter provide that for any corporate purpose said district may borrow money from the Federal Emergency Administration

of Public Works of the United States or from any other department or agency of the United States, or from any other source, and in evidence thereof may issue the notes, warrants, certificates of indebtedness, bonds, or other forms of obligations of such district; and to change Section 23 of said Chapter 63 so that the same shall hereafter provide, in addition to its other provisions, that the Board of Directors may in its discretion have executed in favor of the holders of the district's obligations an indenture mortgaging and encumbering the improvements, facilities, and properties acquired with the proceeds of the sale of such obligations, and/or all of the improvements, facilities, and properties of the district, and that such indenture may likewise mortgage and encumber the revenues to be derived from the operation of such improvements, facilities, and properties; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1085, "An Act creating a Consolidated Road District No. 3 of Tyler County, Texas, under authority of Article 3, Section 52 of the Constitution of Texas, for the purpose of fully and fairly compensating original Road Districts Nos. 3 and 4 of said County in amounts equal to the respective amounts of road bonds outstanding against such included Road Districts respectively, and for the purpose of the purchase and construction of district roads therein, and for the purpose of the further construction, maintenance, and operation of macadamized, graveled, or paved roads and turnpikes, or in aid thereof, when authorized by a two-thirds majority vote of the qualified property taxpaying voters of said District, voting at an election for that purpose; making said Road District a body corporate and taxing District under authority of Article 3, Section 52 of the Constitution of Texas, and as provided by Chapter 16,



General Laws of the Thirty-ninth Legislature, First Called Session, and providing that said Consolidated Road District shall have authority and be vested with the rights and shall function as provided by the General Laws of Texas for such Districts; describing the territory comprising such District, and reciting that it contains all of original Road Districts Nos. 3 and 4 of said County, and overlaps a portion of original Road District No. 2 of said County, and providing that it shall not interfere in any manner with said Road District No. 2 in levying, assessing, and collecting ad valorem taxes in payment of bonds of said Road District No. 2; providing it shall have authority to issue bonds and levy ad valorem taxes in payment thereof as provided by the General Laws enacted under the provisions of Article 3, Section 52 of the Constitution of Texas and as provided by Chapter 16, General Laws of the Thirty-ninth Legislature, First Called Session; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 20, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1091, "An Act to amend Article 6377 of the Revised Civil Statutes of Texas, 1925, which regulates the equipment in passenger trains; this amendment providing that the provisions of Article 6377 of the Revised Civil Statutes of Texas, 1925, shall not be applicable where railroad trains are carrying only personnel and equipment in connection

with military or naval movements; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

#### SENT TO THE GOVERNOR

June 20, 1941

House Bill No. 898.  
House Bill No. 1079.  
House Bill No. 627.  
House Bill No. 222.  
House Bill No. 741.  
House Bill No. 1046.  
House Bill No. 956.  
House Bill No. 537.  
House Bill No. 1036.  
House Bill No. 971.  
House Bill No. 1043.  
House Bill No. 974.  
House Bill No. 64.  
House Bill No. 942.  
House Bill No. 980.  
House Bill No. 1060.  
House Bill No. 199.  
House Bill No. 570.  
House Bill No. 272.  
House Bill No. 284.  
House Bill No. 848.  
House Bill No. 1084.  
House Bill No. 188.  
House Bill No. 420.  
House Joint Resolution No. 23.  
House Concurrent Resolution No. 124.  
House Concurrent Resolution No. 209.  
House Concurrent Resolution No. 116.

**In Memory of**  
**Mr. M. C. Davis**

---

Mr. Cato offered the following resolution:

H. S. R. No. 352, In Memory of Mr. W. C. Davis.

Whereas, God in his providence has seen fit to take from this earth Mr. W. C. Davis, 71-year-old long-time resident of Parker County; and

Whereas, His passing on Monday, June 16, 1941, at his family home in Abilene, was a distinct loss, not only to his community, but the whole State of Texas; and

Whereas, The deceased was at the time of his death an active member of the Church of Christ for 40 years; a diligent and devoted worker both privately and publicly in efforts to promote the welfare of the underprivileged of his community; and a man beloved by all who knew him, honored and respected for his fine qualities, his unusual abilities and his generous, kindly spirit; and

Whereas, He was a native of Georgia, where he was born June 6, 1870, and from where he moved to Parker County when he was 15 years of age; and where he married Margaret Frances Roberts at Brock, November 6, 1892; and

Whereas, He was an ambitious man, was tolerant and sympathetic, yet had strong convictions, and he was an educated gentleman, his education being not in the sense of college attainments, but the kind attained by reading and studying at night after working hard all the day; and

Whereas, He was one of the many people who never attain positions of high honor, whose names never grace the pages of history, yet who should be enumerated among the great; therefore

Be it resolved, by the House, That we hereby express our deep regret at his passing; and

Be it further resolved, That the Chief Clerk be instructed to send copies of this resolution to his wife, Mrs. W. C. Davis, 1233 Matador St., Abilene; to his daughters, Mrs. J. L. Osborne, Dallas; Mrs. W. D. Norvell, Abilene; Mrs. Hightower, Indianola, Miss.; Mrs. Jack Turner, Abilene; and to his sons, J. A. Davis, Talso; T. A. Davis, Amarillo; Foy Davis, Amarillo; Joe Davis, Dallas; and Mrs. Leo A. Davis, Abilene; also to his brothers, R. B. Davis, El Paso; C. L. Davis and R. S. Davis, both of Weatherford; and that a copy of this resolution under the Seal of the House be spread upon the Journal and when the House adjourns today, it do so in silent tribute to a man whose name shall live long in the affection of his friends and sorrowing family.

**CATO,  
HUMPHREY.**

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton,

Carrington, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Kelly, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.